ACTS

AND

RESOLVES

PASSED BY THE

General Court of Massachusetts,

IN THE YEAR

1913,

TOGETHER WITH

THE CONSTITUTION, THE MESSAGES OF THE GOVERNOR, LIST OF THE CIVIL GOVERNMENT, TABLES SHOWING CHANGES IN THE STATUTES, CHANGES OF NAMES OF PERSONS, ETC., ETC.

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A CONSTITUTION

OR

FORM OF GOVERNMENT

FOR

The Commonwealth of Massachusetts

PREAMBLE.

Objects of government.

The end of the institution, maintenance, and administration of government, is to secure the existence of the body politic, to protect it, and to furnish the individuals who compose it with the power of enjoying in safety and tranquillity their natural rights, and the blessings of life: and whenever these great objects are not obtained, the people have a right to alter the government, and to take measures necessary for their safety, prosperity, and happiness.

Body politic, how formed. Its nature.

The body politic is formed by a voluntary association of individuals: it is a social compact, by which the whole people covenants with each citizen, and each citizen with the whole people, that all shall be governed by certain laws for the common good. It is the duty of the people, therefore, in framing a constitution of government, to provide for an equitable mode of making laws, as well as for an impartial interpretation and a faithful execution of them; that every man may, at all times, find his security in them.

We, therefore, the people of Massachusetts, acknowledging, with grateful hearts, the goodness of the great Legislator of the universe, in affording us, in the course of His providence, an opportunity, deliberately and peace-

ably, without fraud, violence, or surprise, of entering into an original, explicit, and solemn compact with each other; and of forming a new constitution of civil government, for ourselves and posterity; and devoutly imploring His direction in so interesting a design, do agree upon, ordain, and establish, the following *Declaration of Rights, and Frame of Government*, as the CONSTITUTION OF THE COMMONWEALTH OF MASSACHUSETTS.

PART THE FIRST.

A Declaration of the Rights of the Inhabitants of the Commonwealth of Massachusetts.

Equality and natural rights of all men.

ARTICLE I. All men are born free and equal, and have certain natural, essential, and unalienable rights; among which may be reckoned the right of enjoying and defending their lives and liberties; that of acquiring, possessing, and protecting property; in fine, that of seeking and obtaining their safety and happiness.

Right and duty of public religious worship. Protection therein. 2 Cush. 104, 12 Allen, 129.

II. It is the right as well as the duty of all men in society, publicly, and at stated seasons, to worship the SUPREME BEING, the great Creator and Preserver of the universe. And no subject shall be hurt, molested, or restrained, in his person, liberty, or estate, for worshipping GOD in the manner and season most agreeable to the dictates of his own conscience; or for his religious profession of sentiments; provided he doth not disturb the public peace, or obstruct others in their religious worship.

Amendments, Art. XI. substituted for this.

III. [As the happiness of a people, and the good order and preservation of civil government, essentially depend upon piety, religion, and morality; and as these cannot be generally diffused through a community but by the institution of the public worship of GOD, and of public instructions in piety, religion, and morality: Therefore, to promote their happiness, and to secure the good order and preservation of their government, the people of this commonwealth have a right to invest their legislature with power to authorize and require, and the legislature shall, from time to time, authorize and require, the several towns, parishes, precincts, and other bodies politic, or religious societies, to make suitable provision, at their own expense, for the institution of the public worship of GOD, and for

Legislature empowered to compel provision for public worship;

the support and maintenance of public Protestant teachers of piety, religion, and morality, in all cases where such provision shall not be made voluntarily.

and to enjoin attendance thereon.

And the people of this commonwealth have also a right to, and do, invest their legislature with authority to enjoin upon all the subjects an attendance upon the instructions of the public teachers aforesaid, at stated times and seasons, if there be any on whose instructions they can conscientiously and conveniently attend.

Exclusive right of electing religious teachers secured.

Provided, notwithstanding, that the several towns, parishes, precincts, and other bodies politic, or religious societies, shall, at all times, have the exclusive right of electing their public teachers, and of contracting with them for their support and maintenance.

Option as to whom parochial taxes may be paid, unless, etc.

And all moneys paid by the subject to the support of public worship, and of the public teachers aforesaid, shall, if he require it, be uniformly applied to the support of the public teacher or teachers of his own religious sect or denomination, provided there be any on whose instructions he attends; otherwise it may be paid towards the support of the teacher or teachers of the parish or precinct in which the said moneys are raised.

All denominations equally protected. 8 Met. 162. Subordination of one sect to another prohibited.

And every denomination of Christians, demeaning themselves peaceably, and as good subjects of the commonwealth, shall be equally under the protection of the law: and no subordination of any one sect or denomination to another shall ever be established by law.]

Right of self government secured.

IV. The people of this commonwealth have the sole and exclusive right of governing themselves, as a free, sovereign, and independent state; and do, and forever hereafter shall, exercise and enjoy every power, jurisdiction, and right, which is not, or may not hereafter be, by them expressly delegated to the United States of America, in Congress assembled.

Accountability of all officers, etc.

V. All power residing originally in the people, and being derived from them, the several magistrates and officers of government, vested with authority, whether legislative, executive, or judicial, are their substitutes and agents, and are at all times accountable to them.

Services rendered to the public being the only title to peculiar privileges, hereditary offices are absurd and unnatural.

VI. No man, nor corporation, or association of men, have any other title to obtain advantages, or particular and exclusive privileges, distinct from those of the community, than what arises from the consideration of services rendered to the public; and this title being in nature neither hereditary, nor transmissible to children,

or descendants, or relations by blood, the idea of a man born a magistrate, lawgiver, or judge, is absurd and unnatural.

Objects of government; right of people to institute and change it.

VII. Government is instituted for the common good; for the protection, safety, prosperity, and happiness of the people; and not for the profit, honor, or private interest of any one man, family, or class of men: Therefore the people alone have an incontestable, unalienable, and indefeasible right to institute government; and to reform, alter, or totally change the same, when their protection, safety, prosperity, and happiness require it.

Right of people to secure rotation in office.

VIII. In order to prevent those who are vested with authority from becoming oppressors, the people have a right, at such periods and in such manner as they shall establish by their frame of government, to cause their public officers to return to private life; and to fill up vacant places by certain and regular elections and appointments.

All, having the qualifications prescribed, equally eligible to office. For the definition of "inhabitant," see Ch. 1, Sect. 2, Art. II.

IX. All elections ought to be free; and all the inhabitants of this commonwealth, having such qualifications as they shall establish by their frame of government, have an equal right to elect officers, and to be elected, for public employments. 122 Mass. 595, 596.

Right of protection and duty of contribution correlative.

Taxation founded on consent.
16 Mass. 326.
1 Pick. 418.
7 Pick. 344.
12 Pick. 184, 467.
16 Pick. 87.
23 Pick. 360.
7 Met. 388.
4 Gray, 474.
7 Gray, 363.
14 Gray, 154.
1 Allen, 150.
4 Allen, 474.

Private property not to be taken for public uses without, etc.
See amendments, Art. XXXIX.
6 Cush. 327.
14 Gray, 155.
16 Gray, 417, 431.

X. Each individual of the society has a right to be protected by it in the enjoyment of his life, liberty, and property, according to standing laws. He is obliged, consequently, to contribute his share to the expense of this protection; to give his personal service, or an equivalent, when necessary: but no part of the property of any individual can, with justice, be taken from him, or applied to public uses, without his own consent, or that of the representative body of the people. In fine, the people of this commonwealth are not controllable by any other laws than those to which their constitutional representative body have given their consent. And whenever the public exigencies require that the property of any individual should be appropriated to public uses, he shall receive a reasonable compensation therefor.

1 Allen, 150. 103 Mass. 120, 624. 113 Mass. 45. 127 Mass. 50, 52,
11 Allen, 530. 106 Mass. 356, 362. 116 Mass. 463. 358, 363, 410, 413.
12 Allen, 223, 230. 108 Mass. 202, 213. 126 Mass. 428, 441. 129 Mass. 559.
100 Mass. 544, 560. 111 Mass. 130.

Remedies, by recourse to the law, to be free, complete and prompt.

XI. Every subject of the commonwealth ought to find a certain remedy, by having recourse to the laws, for all injuries or wrongs which he may receive in his person, property, or character. He ought to obtain right and

justice freely, and without being obliged to purchase it; completely, and without any denial; promptly, and without delay; conformably to the laws.

Prosecutions regulated.
8 Pick. 211.
10 Pick. 9.
18 Pick. 434.
21 Pick. 542.
2 Met. 329.
12 Cush. 246.
1 Gray, 1.
5 Gray, 160.
8 Gray, 329.
10 Gray, 11.
11 Gray, 438.
2 Allen, 361.
11 Allen, 238–240, 264, 439, 473.
12 Allen, 170.
97 Mass. 570, 578.
100 Mass. 287, 295.
103 Mass. 418.

XII. No subject shall be held to answer for any crimes or offence, until the same is fully and plainly, substantially and formally, described to him; or be compelled to accuse, or furnish evidence against himself. And every subject shall have a right to produce all proofs that may be favorable to him; to meet the witnesses against him face to face, and to be fully heard in his defence by himself, or his counsel, at his election. And no subject shall be arrested, imprisoned, despoiled, or deprived of his property, immunities, or privileges, put out of the protection of the law, exiled, or deprived of his life, liberty, or estate, but by the judgment of his peers, or the law of the land.

107 Mass. 172, 180. 108 Mass. 5, 6. 118 Mass. 443, 451. 120 Mass. 118, 120. 122 Mass. 332. 124 Mass. 464. 127 Mass. 550, 554. 129 Mass. 559.

Right to trial by jury in criminal cases, except, etc.
8 Gray, 329, 373.
103 Mass. 418.

And the legislature shall not make any law that shall subject any person to a capital or infamous punishment, excepting for the government of the army and navy, without trial by jury.

Crimes to be proved in the vicinity.
2 Pick. 550.
121 Mass. 61, 62.

XIII. In criminal prosecutions, the verification of facts, in the vicinity where they happen, is one of the greatest securities of the life, liberty, and property of the citizen.

Right of search and seizure regulated.
Const. of U. S., Amend't IV.
2 Met. 329.
5 Cush. 369.
1 Gray, 1.
13 Gray, 454.
10 Allen, 403.
100 Mass. 136, 139.
126 Mass. 269, 273.

XIV. Every subject has a right to be secure from all unreasonable searches, and seizures, of his person, his houses, his papers, and all his possessions. All warrants, therefore, are contrary to this right, if the cause or foundation of them be not previously supported by oath or affirmation, and if the order in the warrant to a civil officer, to make search in suspected places, or to arrest one or more suspected persons, or to seize their property, be not accompanied with a special designation of the persons or objects of search, arrest, or seizure: and no warrant ought to be issued but in cases, and with the formalities prescribed by the laws.

Right to trial by jury sacred, except, etc.
Const. of U. S., Amend't VII.
2 Pick. 382.
7 Pick. 366.
5 Gray, 144.
8 Gray, 373.
11 Allen, 574, 577.
102 Mass. 45, 47.

XV. In all controversies concerning property, and in all suits between two or more persons, except in cases in which it has heretofore been otherways used and practised, the parties have a right to a trial by jury; and this method of procedure shall be held sacred, unless, in causes arising on the high seas, and such as relate to mariners' wages, the legislature shall hereafter find it necessary to alter it.

114 Mass. 388, 390. 120 Mass. 320, 321. 122 Mass. 505, 516. 123 Mass. 590, 593. 125 Mass. 182, 188. 128 Mass. 600.

Liberty of the press.

XVI. The liberty of the press is essential to the security of freedom in a state: it ought not, therefore, to be restrained in this commonwealth.

Right to keep and bear arms. Standing armies dangerous. Military power subordinate to civil. 5 Gray, 121.

XVII. The people have a right to keep and to bear arms for the common defence. And as, in time of peace, armies are dangerous to liberty, they ought not to be maintained without the consent of the legislature; and the military power shall always be held in an exact subordination to the civil authority, and be governed by it.

Moral qualifications for office.

XVIII. A frequent recurrence to the fundamental principles of the constitution, and a constant adherence to those of piety, justice, moderation, temperance, industry, and frugality, are absolutely necessary to preserve the advantages of liberty, and to maintain a free government. The people ought, consequently, to have a particular attention to all those principles, in the choice of their officers and representatives: and they have a right to require of their lawgivers and magistrates an exact and constant observance of them, in the formation and execution of the laws necessary for the good administration of the commonwealth.

Moral obligations of lawgivers and magistrates.

Right of people to instruct representatives and petition legislature.

XIX. The people have a right, in an orderly and peaceable manner, to assemble to consult upon the common good; give instructions to their representatives, and to request of the legislative body, by the way of addresses, petitions, or remonstrances, redress of the wrongs done them, and of the grievances they suffer.

Power to suspend the laws or their execution.

XX. The power of suspending the laws, or the execution of the laws, ought never to be exercised but by the legislature, or by authority derived from it, to be exercised in such particular cases only as the legislature shall expressly provide for.

Freedom of debate, etc., and reason thereof.

XXI. The freedom of deliberation, speech, and debate, in either house of the legislature, is so essential to the rights of the people, that it cannot be the foundation of any accusation or prosecution, action or complaint, in any other court or place whatsoever.

Frequent sessions, and objects thereof.

XXII. The legislature ought frequently to assemble for the redress of grievances, for correcting, strengthening, and confirming the laws, and for making new laws, as the common good may require.

Taxation founded on consent. 8 Allen, 247.

XXIII. No subsidy, charge, tax, impost, or duties ought to be established, fixed, laid, or levied, under any pretext whatsoever, without the consent of the people or their representatives in the legislature.

XXIV. Laws made to punish for actions done before the existence of such laws, and which have not been declared crimes by preceding laws, are unjust, oppressive, and inconsistent with the fundamental principles of a free government.

Ex post facto laws prohibited. 12 Allen, 421, 424, 428, 434.

XXV. No subject ought, in any case, or in any time, to be declared guilty of treason or felony by the legislature.

Legislature not to convict of treason, etc.

XXVI. No magistrate or court of law shall demand excessive bail or sureties, impose excessive fines, or inflict cruel or unusual punishments. 5 Gray, 482.

Excessive bail or fines, and cruel punishments, prohibited.

XXVII. In time of peace, no soldier ought to be quartered in any house without the consent of the owner; and in time of war, such quarters ought not to be made but by the civil magistrate, in a manner ordained by the legislature.

No soldier to be quartered in any house, unless, etc.

XXVIII. No person can in any case be subject to law-martial, or to any penalties or pains, by virtue of that law, except those employed in the army or navy, and except the militia in actual service, but by authority of the legislature.

Citizens exempt from law-martial, unless, etc.

XXIX. It is essential to the preservation of the rights of every individual, his life, liberty, property, and character, that there be an impartial interpretation of the laws, and administration of justice. It is the right of every citizen to be tried by judges as free, impartial, and independent as the lot of humanity will admit. It is, therefore, not only the best policy, but for the security of the rights of the people, and of every citizen, that the judges of the supreme judicial court should hold their offices as long as they behave themselves well; and that they should have honorable salaries ascertained and established by standing laws.

Judges of supreme judicial court. 3 Pick. 471. 1 Gray, 472. 4 Allen, 591. 7 Allen, 385. 105 Mass. 219, 221, 225.

Tenure of their office.

Salaries.

XXX. In the government of this commonwealth, the legislative department shall never exercise the executive and judicial powers, or either of them: the executive shall never exercise the legislative and judicial powers, or either of them: the judicial shall never exercise the legislative and executive powers, or either of them: to the end it may be a government of laws and not of men.

Separation of executive, judicial, and legislative departments. 2 Cush. 577. 2 Allen, 361. 8 Allen, 247, 253. 100 Mass. 282, 286. 114 Mass. 247, 249.

116 Mass. 317. 129 Mass. 559.

PART THE SECOND.

The Frame of Government.

Title of body politic.

The people, inhabiting the territory formerly called the Province of Massachusetts Bay, do hereby solemnly and mutually agree with each other, to form themselves into a free, sovereign, and independent body politic, or state, by the name of THE COMMONWEALTH OF MASSACHUSETTS.

CHAPTER I.

THE LEGISLATIVE POWER.

SECTION I.

The General Court.

Legislative department.

ARTICLE I. The department of legislation shall be formed by two branches, a Senate and House of Representatives; each of which shall have a negative on the other.

For change of time, etc., see amendments, Art. X.

The legislative body shall assemble every year [on the last Wednesday in May, and at such other times as they shall judge necessary; and shall dissolve and be dissolved on the day next preceding the said last Wednesday in May;] and shall be styled, THE GENERAL COURT OF MASSACHUSETTS.

Governor's veto. 99 Mass. 636.

II. No bill or resolve of the senate or house of representatives shall become a law, and have force as such, until it shall have been laid before the governor for his revisal; and if he, upon such revision, approve thereof, he shall signify his approbation by signing the same. But if he have any objection to the passing of such bill or resolve, he shall return the same, together with his objections thereto, in writing, to the senate or house of representatives, in whichsoever the same shall have originated; who shall enter the objections sent down by the governor, at large, on their records, and proceed to reconsider the said bill or resolve. But if after such reconsideration, two-thirds of the said senate or house of representatives, shall, notwithstanding the said objections, agree to pass the same, it shall, together with the objections, be sent to the other branch of the legislature, where it shall also be reconsidered, and if approved by two-thirds of the members present, shall have the force of a law: but in all such cases,

Bill may be passed by two-thirds of each house, notwithstanding.

the votes of both houses shall be determined by yeas and nays; and the names of the persons voting for, or against, the said bill or resolve, shall be entered upon the public records of the commonwealth.

And in order to prevent unnecessary delays, if any bill or resolve shall not be returned by the governor within five days after it shall have been presented, the same shall have the force of a law. 3 Mass. 567.

For exception in case of adjournment of the general court within the five days, see amendments, Art. I.

III. The general court shall forever have full power and authority to erect and constitute judicatories and courts of record, or other courts, to be held in the name of the commonwealth, for the hearing, trying, and determining of all manner of crimes, offences, pleas, processes, plaints, actions, matters, causes, and things, whatsoever, arising or happening within the commonwealth, or between or concerning persons inhabiting, or residing, or brought within the same: whether the same be criminal or civil, or whether the said crimes be capital or not capital, and whether the said pleas be real, personal, or mixed; and for the awarding and making out of execution thereupon. To which courts and judicatories are hereby given and granted full power and authority, from time to time, to administer oaths or affirmations, for the better discovery of truth in any matter in controversy or depending before them.

General court may constitute judicatories, courts of record, etc. 8 Gray, 1. 12 Gray, 147, 154.

Courts, etc., may administer oaths.

IV. And further, full power and authority are hereby given and granted to the said general court, from time to time to make, ordain, and establish, all manner of wholesome and reasonable orders, laws, statutes, and ordinances, directions and instructions, either with penalties or without; so as the same be not repugnant or contrary to this constitution, as they shall judge to be for the good and welfare of this commonwealth, and for the government and ordering thereof, and of the subjects of the same, and for the necessary support and defence of the government thereof; and to name and settle annually, or provide by fixed laws for the naming and settling, all civil officers within the said commonwealth, the election and constitution of whom are not hereafter in this form of government otherwise provided for; and to set forth the several duties, powers, and limits, of the several civil and military officers of this commonwealth, and the forms of such oaths or affirmations as shall be respectively administered unto them for the execution of their several offices and places, so as the same be not repugnant or contrary to

General court may enact laws, etc. 9 Gray, 426. 4 Allen, 473. 12 Allen, 223, 237. 100 Mass. 544, 557. 116 Mass. 467, 470.

may enact laws, etc., not repugnant to the constitution. 6 Allen, 358.

may provide for the election or appointment of officers. 115 Mass. 602.

may prescribe their duties.

General court may impose taxes, etc. See Amendments, Art. XLI.
12 Mass. 252.
5 Allen, 428.
6 Allen, 558.
8 Allen, 247, 253.
10 Allen, 235.
11 Allen, 268.
12 Allen, 77, 223, 235, 238, 240, 298, 300, 312, 313, 500, 612.
98 Mass. 19.
100 Mass. 285.
101 Mass. 575, 585.
103 Mass. 267.
114 Mass. 388, 391.
116 Mass. 461.
118 Mass. 386, 389.
123 Mass. 493, 495.
127 Mass. 413.

this constitution; and to impose and levy proportional and reasonable assessments, rates, and taxes, upon all the inhabitants of, and persons resident, and estates lying, within the said commonwealth; and also to impose and levy reasonable duties and excises upon any produce, goods, wares, merchandise, and commodities, whatsoever, brought into, produced, manufactured, or being within the same; to be issued and disposed of by warrant, under the hand of the governor of this commonwealth for the time being, with the advice and consent of the council, for the public service, in the necessary defence and support of the government of the said commonwealth, and the protection and preservation of the subjects thereof, according to such acts as are or shall be in force within the same.

may impose taxes, etc., to be disposed of for defence, protection, etc.
8 Allen, 247, 256.

Valuation of estates once in ten years, at least, while, etc.
8 Allen, 247.
126 Mass. 547.

And while the public charges of government, or any part thereof, shall be assessed on polls and estates, in the manner that has hitherto been practised, in order that such assessments may be made with equality, there shall be a valuation of estates within the commonwealth, taken anew once in every ten years at least, and as much oftener as the general court shall order.

For the authority of the general court to charter cities, see amendments, Art. II.

CHAPTER I.

Section II.

Senate.

Senate, number of, and by whom elected. Superseded by amendments, Art. XIII., which was also superseded by amendments, Art. XXII.

Article I. [There shall be annually elected, by the freeholders and other inhabitants of this commonwealth, qualified as in this constitution is provided, forty persons to be councillors and senators for the year ensuing their election; to be chosen by the inhabitants of the districts into which the commonwealth may, from time to time, be divided by the general court for that purpose: and the general court, in assigning the numbers to be elected by the respective districts, shall govern themselves by the proportion of the public taxes paid by the said districts; and timely make known to the inhabitants of the commonwealth the limits of each district, and the number of councillors and senators to be chosen therein; provided, that the number of such districts shall never be less than thir-

For provision as to councillors, see amendments, Art. XVI.

teen; and that no district be so large as to entitle the same to choose more than six senators.

Counties to be districts, until, etc.

And the several counties in this commonwealth shall, until the general court shall determine it necessary to alter the said districts, be districts for the choice of councillors and senators, (except that the counties of Dukes County and Nantucket shall form one district for that purpose) and shall elect the following number for councillors and senators, viz.: — Suffolk, six; Essex, six; Middlesex, five; Hampshire, four; Plymouth, three; Barnstable, one; Bristol, three; York, two; Dukes County and Nantucket, one; Worcester, five; Cumberland, one; Lincoln, one; Berkshire, two.]

Manner and time of choosing senators and councillors. See amendments, Arts. X. and XV. As to cities, see amendments, Art. II. Provisions as to qualifications of voters, superseded by amendments, Arts. III., XX., XXVIII., XXX., XXXI. and XXXII. Word "inhabitant" defined See also amendments, Art. XXIII., which was annulled by Art. XXVI. 12 Gray, 21. 122 Mass. 595, 597.

II. The senate shall be the first branch of the legislature; and the senators shall be chosen in the following manner, viz.: there shall be a meeting on the [first Monday in April,] annually, forever, of the inhabitants of each town in the several counties of this commonwealth; to be called by the selectmen, and warned in due course of law, at least seven days before the [first Monday in April,] for the purpose of electing persons to be senators and councillors; [and at such meetings every male inhabitant of twenty-one years of age and upwards, having a freehold estate within the commonwealth, of the annual income of three pounds, or any estate of the value of sixty pounds, shall have a right to give in his vote for the senators for the district of which he is an inhabitant.] And to remove all doubts concerning the meaning of the word "inhabitant" in this constitution, every person shall be considered as an inhabitant, for the purpose of electing and being elected into any office, or place within this state, in that town, district, or plantation where he dwelleth, or hath his home.

Selectmen to preside at town meetings.

The selectmen of the several towns shall preside at such meetings impartially; and shall receive the votes of all the inhabitants of such towns present and qualified to vote for senators, and shall sort and count them in open town meeting, and in presence of the town clerk, who shall make a fair record, in presence of the selectmen, and in open town meeting, of the name of every person voted for, and of the number of votes against his name: and a fair copy of this record shall be attested by the selectmen and the town clerk, and shall be sealed up, directed to the secretary of the commonwealth for the time being, with a superscription, expressing the purport

Return of votes.

As to cities, see amendments, Art. II.

of the contents thereof, and delivered by the town clerk of such towns, to the sheriff of the county in which such town lies, thirty days at least before [the last Wednesday in May] annually; or it shall be delivered into the secretary's office seventeen days at least before the said [last Wednesday in May:] and the sheriff of each county shall deliver all such certificates by him received, into the secretary's office, seventeen days before the said [last Wednesday in May.]

Time changed to first Wednesday of January. See amendments, Art. X.

Inhabitants of unincorporated plantations, who pay state taxes, may vote.

And the inhabitants of plantations unincorporated, qualified as this constitution provides, who are or shall be empowered and required to assess taxes upon themselves toward the support of government, shall have the same privilege of voting for councillors and senators in the plantations where they reside, as town inhabitants have in their respective towns; and the plantation meetings for that purpose shall be held annually [on the same first Monday in April], at such place in the plantations, respectively, as the assessors thereof shall direct; which assessors shall have like authority for notifying the electors, collecting and returning the votes, as the selectmen and town clerks have in their several towns, by this constitution. And all other persons living in places unincorporated (qualified as aforesaid) who shall be assessed to the support of government by the assessors of an adjacent town, shall have the privilege of giving in their votes for councillors and senators in the town where they shall be assessed, and be notified of the place of meeting by the selectmen of the town where they shall be assessed, for that purpose, accordingly.

Plantation meetings. Time of election changed by amendments, Art. XV. Assessors to notify, etc.

Governor and council to examine and count votes, and issue summonses. Time changed to first Wednesday in January by amendments, Art. X. Majority changed to plurality by amendments, Art. XIV.

III. And that there may be a due convention of senators on the [last Wednesday in May] annually, the governor with five of the council, for the time being, shall, as soon as may be, examine the returned copies of such records; and fourteen days before the said day he shall issue his summons to such persons as shall appear to be chosen by [a majority of] voters, to attend on that day, and take their seats accordingly: provided, nevertheless, that for the first year the said returned copies shall be examined by the president and five of the council of the former constitution of government; and the said president shall, in like manner, issue his summons to the persons so elected, that they may take their seats as aforesaid.

Senate to be final judge of elections, etc.,

IV. The senate shall be the final judge of the elections, returns and qualifications of their own members, as

pointed out in the constitution; and shall, [on the said last Wednesday in May] annually, determine and declare who are elected by each district to be senators [by a majority of votes; and in case there shall not appear to be the full number of senators returned elected by a majority of votes for any district, the deficiency shall be supplied in the following manner, viz.: The members of the house of representatives, and such senators as shall be declared elected, shall take the names of such persons as shall be found to have the highest number of votes in such district, and not elected, amounting to twice the number of senators wanting, if there be so many voted for; and out of these shall elect by ballot a number of senators sufficient to fill up the vacancies in such district: and in this manner all such vacancies shall be filled up in every district of the commonwealth; and in like manner all vacancies in the senate, arising by death, removal out of the state, or otherwise, shall be supplied as soon as may be, after such vacancies shall happen.]

of its own members.

Time changed to first Wednesday of January by amendments, Art. X.

Majority changed to plurality by amendments, Art. XIV.

Vacancies, how filled.

Changed to election by people.

See amendments, Art. XXIV.

V. Provided, nevertheless, that no person shall be capable of being elected as a senator, [who is not seised in his own right of a freehold, within this commonwealth, of the value of three hundred pounds at least, or possessed of personal estate to the value of six hundred pounds at least, or of both to the amount of the same sum, and] who has not been an inhabitant of this commonwealth for the space of five years immediately preceding his election, and, at the time of his election, he shall be an inhabitant in the district for which he shall be chosen.

Qualifications of a senator.

Property qualification abolished.

See amendments, Art. XIII.

For further provision as to residence, see also amendments, Art. XXII.

VI. The senate shall have power to adjourn themselves, provided such adjournments do not exceed two days at a time.

Senate not to adjourn more than two days.

VII. The senate shall choose its own president, appoint its own officers, and determine its own rules of proceedings.

shall choose its officers and establish its rules.

VIII. The senate shall be a court with full authority to hear and determine all impeachments made by the house of representatives, against any officer or officers of the commonwealth, for misconduct and mal-administration in their offices. But previous to the trial of every impeachment the members of the senate shall respectively be sworn, truly and impartially to try and determine the charge in question, according to evidence. Their judgment, however, shall not extend further than to removal from office and disqualification to hold or enjoy any place

shall try all impeachments.

Oath.

Limitation of sentence.

of honor, trust, or profit, under this commonwealth; but the party so convicted shall be, nevertheless, liable to indictment, trial, judgment, and punishment, according to the laws of the land.

Quorum. See amendments, Arts. XXII. and XXXIII.

IX. [Not less than sixteen members of the senate shall constitute a quorum for doing business.]

CHAPTER I.

Section III.

House of Representatives.

Representation of the people.

Article I. There shall be, in the legislature of this commonwealth, a representation of the people, annually elected, and founded upon the principle of equality.

Representatives, by whom chosen. Superseded by amendments, Arts. XII. and XIII., which were also superseded by amendments, Art. XXI. 7 Mass. 523.

II. [And in order to provide for a representation of the citizens of this commonwealth, founded upon the principle of equality, every corporate town containing one hundred and fifty ratable polls may elect one representative; every corporate town containing three hundred and seventy-five ratable polls may elect two representatives; every corporate town containing six hundred ratable polls may elect three representatives; and proceeding in that manner, making two hundred and twenty-five ratable polls the mean increasing number for every additional representative.

Proviso as to towns having less than 150 ratable polls.

Provided, nevertheless, that each town now incorporated, not having one hundred and fifty ratable polls, may elect one representative; but no place shall hereafter be incorporated with the privilege of electing a representative, unless there are within the same one hundred and fifty ratable polls.]

Towns liable to fine in case, etc.

And the house of representatives shall have power from time to time to impose fines upon such towns as shall neglect to choose and return members to the same, agreeably to this constitution.

Expenses of travelling to and from the general court, how paid. Annulled by Art. XXXV.

[The expenses of travelling to the general assembly, and returning home, once in every session, and no more, shall be paid by the government, out of the public treasury, to every member who shall attend as seasonably as he can, in the judgment of the house, and does not depart without leave.]

Qualifications of a representative.

III. Every member of the house of representatives shall be chosen by written votes; [and, for one year at

least next preceding his election, shall have been an inhabitant of, and have been seised in his own right of a freehold of the value of one hundred pounds within the town he shall be chosen to represent, or any ratable estate to the value of two hundred pounds; and he shall cease to represent the said town immediately on his ceasing to be qualified as aforesaid.]

New provision as to residence. See amendments, Art. XXI.

Property qualifications abolished by amendments, Art. XIII.

IV. [Every male person, being twenty-one years of age, and resident in any particular town in this commonwealth for the space of one year next preceding, having a freehold estate within the said town of the annual income of three pounds, or any estate of the value of sixty pounds, shall have a right to vote in the choice of a representative or representatives for the said town.]

Qualifications of a voter. These provisions superseded by amendments, Arts. III., XX., XXVIII., XXX., XXXI. and XXXII. See also amendments, Art. XXIII., which was annulled by Art. XXVI.

V. [The members of the house of representatives shall be chosen annually in the month of May, ten days at least before the last Wednesday of that month.]

Representatives, when chosen.

Time of election changed by amendments, Art. X., and changed again by amendments, Art. XV.

VI. The house of representatives shall be the grand inquest of this commonwealth; and all impeachments made by them shall be heard and tried by the senate.

House alone can impeach.

VII. All money bills shall originate in the house of representatives; but the senate may propose or concur with amendments, as on other bills.

House to originate all money bills.

VIII. The house of representatives shall have power to adjourn themselves; provided such adjournment shall not exceed two days at a time.

Not to adjourn more than two days.

IX. [Not less than sixty members of the house of representatives shall constitute a quorum for doing business.]

Quorum. See amendments, Arts. XXI. and XXXIII.

X. The house of representatives shall be the judge of the returns, elections, and qualifications of its own members, as pointed out in the constitution; shall choose their own speaker; appoint their own officers, and settle the rules and orders of proceeding in their own house. They shall have authority to punish by imprisonment every person, not a member, who shall be guilty of disrespect to the house, by any disorderly or contemptuous behavior in its presence; or who, in the town where the general court is sitting, and during the time of its sitting, shall threaten harm to the body or estate of any of its members, for any thing said or done in the house; or who shall assault any of them therefor; or who shall assault, or arrest, any witness, or other person, ordered to attend the

To judge of returns, etc., of its own members; to choose its officers and establish its rules, etc.

May punish for certain offences. 14 Gray, 226.

house, in his way in going or returning; or who shall rescue any person arrested by the order of the house.

Privileges of members.

And no member of the house of representatives shall be arrested, or held to bail on mesne process, during his going unto, returning from, or his attending the general assembly.

Senate. Governor and council may punish. General limitation. 14 Gray, 226.

XI. The senate shall have the same powers in the like cases; and the governor and council shall have the same authority to punish in like cases: provided, that no imprisonment on the warrant or order of the governor, council, senate, or house of representatives, for either of the above described offences, be for a term exceeding thirty days.

Trial may be by committee, or otherwise.

And the senate and house of representatives may try and determine all cases where their rights and privileges are concerned, and which, by the constitution, they have authority to try and determine, by committees of their own members, or in such other way as they may respectively think best.

CHAPTER II.

EXECUTIVE POWER.

SECTION I.

Governor.

Governor.

ARTICLE I. There shall be a supreme executive magistrate, who shall be styled — THE GOVERNOR OF THE COMMONWEALTH OF MASSACHUSETTS; and whose title shall be — HIS EXCELLENCY.

His title.

To be chosen annually. Qualifications. See amendments, Arts. VII. and XXXIV.

II. The governor shall be chosen annually; and no person shall be eligible to this office, unless, at the time of his election, he shall have been an inhabitant of this commonwealth for seven years next preceding; [and unless he shall at the same time be seised, in his own right, of a freehold, within the commonwealth, of the value of one thousand pounds;] [and unless he shall declare himself to be of the Christian religion.]

By whom chosen, if he have a majority of votes.

Time of election changed by amendments, Art. X., and changed again by amendments, Art. XV.

III. Those persons who shall be qualified to vote for senators and representatives within the several towns of this commonwealth shall, at a meeting to be called for that purpose, on the [first Monday of April] annually, give in their votes for a governor, to the selectmen, who shall preside at such meetings; and the town clerk, in the presence and with the assistance of the selectmen, shall, in open town meeting, sort and count the votes, and form

a list of the persons voted for, with the number of votes for each person against his name; and shall make a fair record of the same in the town books, and a public declaration thereof in the said meeting; and shall, in the presence of the inhabitants, seal up copies of the said list, attested by him and the selectmen, and transmit the same to the sheriff of the county, thirty days at least before the [last Wednesday in May]; and the sheriff shall transmit the same to the secretary's office, seventeen days at least before the said [last Wednesday in May]; or the selectmen may cause returns of the same to be made to the office of the secretary of the commonwealth, seventeen days at least before the said day; and the secretary shall lay the same before the senate and the house of representatives on the [last Wednesday in May], to be by them examined; and in case of an election by a [majority] of all the votes returned, the choice shall be by them declared and published; but if no person shall have a [majority] of votes, the house of representatives shall, by ballot, elect two out of four persons who had the highest number of votes, if so many shall have been voted for; but, if otherwise, out of the number voted for; and make return to the senate of the two persons so elected; on which the senate shall proceed, by ballot, to elect one, who shall be declared governor.

As to cities, see amendments, Art. II.

Time changed to first Wednesday of January by amendments, Art. X.

Changed to plurality by amendments, Art. XIV.

How chosen, when no person has a plurality.

IV. The governor shall have authority, from time to time, at his discretion, to assemble and call together the councillors of this commonwealth for the time being; and the governor with the said councillors, or five of them at least, shall, and may, from time to time, hold and keep a council, for the ordering and directing the affairs of the commonwealth, agreeably to the constitution and the laws of the land.

Power of governor, and of governor and council.

V. The governor, with advice of council, shall have full power and authority, during the session of the general court, to adjourn or prorogue the same to any time the two houses shall desire; [and to dissolve the same on the day next preceding the last Wednesday in May; and, in the recess of the said court, to prorogue the same from time to time, not exceeding ninety days in any one recess;] and to call it together sooner than the time to which it may be adjourned or prorogued, if the welfare of the commonwealth shall require the same; and in case of any infectious distemper prevailing in the place where the said court is next at any time to convene, or any other cause

May adjourn or prorogue the general court upon request, and convene the same. As to dissolution, see amendments, Art. X.

happening, whereby danger may arise to the health or lives of the members from their attendance, he may direct the session to be held at some other, the most convenient place within the state.

As to dissolution, see amendments, Art. X.

[And the governor shall dissolve the said general court on the day next preceding the last Wednesday in May.]

Governor and council may adjourn the general court in cases, etc., but not exceeding ninety days.

VI. In cases of disagreement between the two houses, with regard to the necessity, expediency, or time of adjournment or prorogation, the governor, with advice of the council, shall have a right to adjourn or prorogue the general court, not exceeding ninety days, as he shall determine the public good shall require.

Governor to be commander-in-chief.

VII. The governor of this commonwealth, for the time being, shall be the commander-in-chief of the army and navy, and of all the military forces of the state, by sea and land; and shall have full power, by himself, or by any commander, or other officer or officers, from time to time, to train, instruct, exercise, and govern the militia and navy; and, for the special defence and safety of the commonwealth, to assemble in martial array, and put in warlike posture, the inhabitants thereof, and to lead and conduct them, and with them to encounter, repel, resist, expel, and pursue, by force of arms, as well by sea as by land, within or without the limits of this commonwealth, and also to kill, slay, and destroy, if necessary, and conquer, by all fitting ways, enterprises, and means whatsoever, all and every such person and persons as shall, at any time hereafter, in a hostile manner, attempt or enterprise the destruction, invasion, detriment, or annoyance of this commonwealth; and to use and exercise, over the army and navy, and over the militia in actual service, the law-martial, in time of war or invasion, and also in time of rebellion, declared by the legislature to exist, as occasion shall necessarily require; and to take and surprise, by all ways and means whatsoever, all and every such person or persons, with their ships, arms, ammunition, and other goods, as shall, in a hostile manner, invade, or attempt the invading, conquering, or annoying this commonwealth; and that the governor be intrusted with all these and other powers, incident to the offices of captain-general and commander-in-chief, and admiral, to be exercised agreeably to the rules and regulations of the constitution, and the laws of the land, and not otherwise.

Limitation.

Provided, that the said governor shall not, at any time hereafter, by virtue of any power by this constitution

granted, or hereafter to be granted to him by the legislature, transport any of the inhabitants of this commonwealth, or oblige them to march out of the limits of the same, without their free and voluntary consent, or the consent of the general court; except so far as may be necessary to march or transport them by land or water, for the defence of such part of the state to which they cannot otherwise conveniently have access.

Governor and council may pardon offences, except, etc.

VIII. The power of pardoning offences, except such as persons may be convicted of before the senate by an impeachment of the house, shall be in the governor, by and with the advice of council; but no charter of pardon, granted by the governor, with advice of the council before conviction, shall avail the party pleading the same, notwithstanding any general or particular expressions contained therein, descriptive of the offence or offences intended to be pardoned.

But not before conviction. 109 Mass. 323.

Judicial officers, etc., how nominated and appointed. For provisions as to election of attorney-general, see amendments, Art. XVII.

IX. All judicial officers, [the attorney-general,] the solicitor-general, [all sheriffs,] coroners, [and registers of probate,] shall be nominated and appointed by the governor, by and with the advice and consent of the council; and every such nomination shall be made by the governor, and made at least seven days prior to such appointment.

For provision as to election of sheriffs, registers of probate, etc., see amendments, Art. XIX. For provision as to appointment of notaries public, see amendments, Art. IV.

Militia officers, how elected. Limitation of age struck out by amendments, Art. V.

X. The captains and subalterns of the militia shall be elected by the written votes of the train-band and alarm list of their respective companies, [of twenty-one years of age and upwards;] the field officers of regiments shall be elected by the written votes of the captains and subalterns of their respective regiments; the brigadiers shall be elected, in like manner, by the field officers of their respective brigades; and such officers, so elected, shall be commissioned by the governor, who shall determine their rank.

How commissioned.

Election of officers.

The legislature shall, by standing laws, direct the time and manner of convening the electors, and of collecting votes, and of certifying to the governor, the officers elected.

Major-generals, how appointed and commissioned.

The major-generals shall be appointed by the senate and house of representatives, each having a negative upon the other; and be commissioned by the governor.

For provisions as to appointment of a commissary-general, see amendments, Art. IV.

Vacancies, how filled, in case, etc.

And if the electors of brigadiers, field officers, captains or subalterns, shall neglect or refuse to make such elec-

tions, after being duly notified, according to the laws for the time being, then the governor, with advice of council, shall appoint suitable persons to fill such offices.

Officers duly commissioned, how removed. Superseded by amendments, Art. IV.

[And no officer, duly commissioned to command in the militia, shall be removed from his office, but by the address of both houses to the governor, or by fair trial in court-martial, pursuant to the laws of the commonwealth for the time being.]

Adjutants, etc., how appointed.

The commanding officers of regiments shall appoint their adjutants and quartermasters; the brigadiers their brigade-majors; and the major-generals their aids; and the governor shall appoint the adjutant-general.

Army officers, how appointed.

The governor, with advice of council, shall appoint all officers of the continental army, whom by the confederation of the United States it is provided that this commonwealth shall appoint, as also all officers of forts and garrisons.

Organization of militia.

The divisions of the militia into brigades, regiments, and companies, made in pursuance of the militia laws now in force, shall be considered as the proper divisions of the militia of this commonwealth, until the same shall be altered in pursuance of some future law.

Money, how drawn from the treasury, except, etc. 13 Allen, 593.

XI. No moneys shall be issued out of the treasury of this commonwealth, and disposed of (except such sums as may be appropriated for the redemption of bills of credit or treasurer's notes, or for the payment of interest arising thereon) but by warrant under the hand of the governor for the time being, with the advice and consent of the council, for the necessary defence and support of the commonwealth; and for the protection and preservation of the inhabitants thereof, agreeably to the acts and resolves of the general court.

All public boards, etc., to make quarterly returns.

XII. All public boards, the commissary-general, all superintending officers of public magazines and stores, belonging to this commonwealth, and all commanding officers of forts and garrisons within the same, shall once in every three months, officially, and without requisition, and at other times, when required by the governor, deliver to him an account of all goods, stores, provisions, ammunition, cannon with their appendages, and small arms with their accoutrements, and of all other public property whatever under their care respectively; distinguishing the quantity, number, quality and kind of each, as particularly as may be; together with the condition of such forts and garrisons; and the said commanding officer shall

exhibit to the governor, when required by him, true and exact plans of such forts, and of the land and sea or harbor or harbors, adjacent.

And the said boards, and all public officers, shall communicate to the governor, as soon as may be after receiving the same, all letters, despatches, and intelligences of a public nature, which shall be directed to them respectively.

Salary of governor.

XIII. As the public good requires that the governor should not be under the undue influence of any of the members of the general court by a dependence on them for his support, that he should in all cases act with freedom for the benefit of the public, that he should not have his attention necessarily diverted from that object to his private concerns, and that he should maintain the dignity of the commonwealth in the character of its chief magistrate, it is necessary that he should have an honorable stated salary, of a fixed and permanent value, amply sufficient for those purposes, and established by standing laws: and it shall be among the first acts of the general court, after the commencement of this constitution, to establish such salary by law accordingly.

Salaries of justices of supreme judicial court.

Permanent and honorable salaries shall also be established by law for the justices of the supreme judicial court.

Salaries to be enlarged if insufficient.

And if it shall be found that any of the salaries aforesaid, so established, are insufficient, they shall, from time to time, be enlarged, as the general court shall judge proper.

CHAPTER II.

Section II.

Lieutenant-Governor.

Lieutenant-governor; his title and qualifications. See amendments, Arts. VII. and XXXIV.

Article I. There shall be annually elected a lieutenant-governor of the commonwealth of Massachusetts, whose title shall be—His Honor; and who shall be qualified, in point of [religion,] [property,] and residence in the commonwealth, in the same manner with the governor; and the day and manner of his election, and the qualifications of the electors, shall be the same as are required in the election of a governor. The return of the votes for this officer, and the declaration of his election, shall be in the same manner; [and if no one person shall be found to have a majority of all the votes returned, the vacancy shall be filled by the senate and house of repre-

How chosen.

Election by plurality provided for by amendments, Art. XIV.

sentatives, in the same manner as the governor is to be elected, in case no one person shall have a majority of the votes of the people to be governor.]

President of council. Lieutenant-governor a member of, except, etc.

II. The governor, and in his absence the lieutenant-governor, shall be president of the council, but shall have no vote in council; and the lieutenant-governor shall always be a member of the council, except when the chair of the governor shall be vacant.

Lieutenant-governor to be acting governor, in case, etc.

III. Whenever the chair of the governor shall be vacant, by reason of his death, or absence from the commonwealth, or otherwise, the lieutenant-governor, for the time being, shall, during such vacancy, perform all the duties incumbent upon the governor, and shall have and exercise all the powers and authorities, which by this constitution the governor is vested with, when personally present.

CHAPTER II.

Section III.

Council, and the Manner of settling Elections by the Legislature.

Council. Number of councillors changed to eight. See amendments, Art. XVI.

Article I. There shall be a council for advising the governor in the executive part of the government, to consist of [nine] persons besides the lieutenant-governor, whom the governor, for the time being, shall have full power and authority, from time to time, at his discretion, to assemble and call together; and the governor, with the said councillors, or five of them at least, shall and may, from time to time, hold and keep a council, for the ordering and directing the affairs of the commonwealth, according to the laws of the land.

Number; from whom, and how chosen. Modified by amendments, Arts. X. and XIII. Superseded by amendments, Art. XVI.

II. [Nine councillors shall be annually chosen from among the persons returned for councillors and senators, on the last Wednesday in May, by the joint ballot of the senators and representatives assembled in one room; and in case there shall not be found upon the first choice, the whole number of nine persons who will accept a seat in the council, the deficiency shall be made up by the electors aforesaid from among the people at large; and the number of senators left shall constitute the senate for the year. The seats of the persons thus elected from the senate, and accepting the trust, shall be vacated in the senate.]

If senators become councillors, their seats to be vacated.

III. The councillors, in the civil arrangements of the commonwealth, shall have rank next after the lieutenant-governor. Rank of councillors.

IV. [Not more than two councillors shall be chosen out of any one district of this commonwealth.] No district to have more than two.

Superseded by amendments, Art. XVI.

V. The resolutions and advice of the council shall be recorded in a register, and signed by the members present; and this record may be called for at any time by either house of the legislature; and any member of the council may insert his opinion, contrary to the resolution of the majority. Register of council.

VI. Whenever the office of the governor and lieutenant-governor shall be vacant, by reason of death, absence, or otherwise, then the council, or the major part of them, shall, during such vacancy, have full power and authority to do, and execute, all and every such acts, matters, and things, as the governor or the lieutenant-governor might or could, by virtue of this constitution, do or execute, if they, or either of them, were personally present. Council to exercise the power of governor in case, etc.

VII. [And whereas the elections appointed to be made, by this constitution, on the last Wednesday in May annually, by the two houses of the legislature, may not be completed on that day, the said elections may be adjourned from day to day until the same shall be completed. And the order of elections shall be as follows: the vacancies in the senate, if any, shall first be filled up; the governor and lieutenant-governor shall then be elected, provided there should be no choice of them by the people; and afterwards the two houses shall proceed to the election of the council.] Elections may be adjourned until, etc.

Order thereof. Superseded by amendments, Arts. XVI. and XXV.

CHAPTER II.

Section IV.

Secretary, Treasurer, Commissary, etc.

Article I. [The secretary, treasurer and receiver-general, and the commissary-general, notaries public, and] naval officers, shall be chosen annually, by joint ballot of the senators and representatives in one room. And, that the citizens of this commonwealth may be assured, from time to time, that the moneys remaining in the public treasury, upon the settlement and liquidation of the pub- Secretary, etc., by whom and how chosen. For provision as to election of secretary, treasurer and receiver-general, and auditor and attorney-general, see amendments, Art. XVII.

Treasurer ineligible for more than five successive years.

lic accounts, are their property, no man shall be eligible as treasurer and receiver-general more than five years successively.

For provision as to appointment of notaries public and the commissary-general, see amendments, Art. IV.

Secretary to keep records; to attend the governor and council, etc.

II. The records of the commonwealth shall be kept in the office of the secretary, who may appoint his deputies, for whose conduct he shall be accountable; and he shall attend the governor and council, the senate and house of representatives, in person, or by his deputies, as they shall respectively require.

CHAPTER III.

JUDICIARY POWER.

Tenure of all commissioned officers to be expressed. Judicial officers to hold office during good behavior, except, etc. But may be removed on address.

ARTICLE I. The tenure, that all commission officers shall by law have in their offices, shall be expressed in their respective commissions. All judicial officers, duly appointed, commissioned, and sworn, shall hold their offices during good behavior, excepting such concerning whom there is different provision made in this constitution: provided, nevertheless, the governor, with consent of the council, may remove them upon the address of both houses of the legislature.

Justices of supreme judicial court to give opinions when required. 122 Mass. 600. 126 Mass. 557, 561.

II. Each branch of the legislature, as well as the governor and council, shall have authority to require the opinions of the justices of the supreme judicial court, upon important questions of law, and upon solemn occasions.

Justices of the peace; tenure of their office. 3 Cush. 584.

III. In order that the people may not suffer from the long continuance in place of any justice of the peace who shall fail of discharging the important duties of his office with ability or fidelity, all commissions of justices of the peace shall expire and become void, in the term of seven years from their respective dates; and, upon the expiration of any commission, the same may, if necessary, be renewed, or another person appointed, as shall most conduce to the well-being of the commonwealth.

For removal of justices of the peace, see amendments, Art. XXXVII.

Provisions for holding probate courts. 12 Gray, 147.

IV. The judges of probate of wills, and for granting letters of administration, shall hold their courts at such place or places, on fixed days, as the convenience of the people shall require; and the legislature shall, from time to time, hereafter, appoint such times and places; until which appointments, the said courts shall be holden at the times and places which the respective judges shall direct.

V. All causes of marriage, divorce, and alimony, and all appeals from the judges of probate, shall be heard and determined by the governor and council, until the legislature shall, by law, make other provision.

Marriage, divorce, and alimony. Other provisions made by law. 105 Mass. 327. 116 Mass. 317.

CHAPTER IV.

DELEGATES TO CONGRESS.

[The delegates of this commonwealth to the congress of the United States, shall, some time in the month of June, annually, be elected by the joint ballot of the senate and house of representatives, assembled together in one room; to serve in congress for one year, to commence on the first Monday in November then next ensuing. They shall have commissions under the hand of the governor, and the great seal of the commonwealth; but may be recalled at any time within the year, and others chosen and commissioned, in the same manner, in their stead.]

Delegates to congress.

CHAPTER V.

THE UNIVERSITY AT CAMBRIDGE, AND ENCOURAGEMENT OF LITERATURE, ETC.

SECTION I.

The University.

ARTICLE I. Whereas our wise and pious ancestors, so early as the year one thousand six hundred and thirty-six, laid the foundation of Harvard College, in which university many persons of great eminence have, by the blessing of GOD, been initiated in those arts and sciences which qualified them for public employments, both in church and state; and whereas the encouragement of arts and sciences, and all good literature, tends to the honor of GOD, the advantage of the Christian religion, and the great benefit of this and the other United States of America, — it is declared, that the PRESIDENT AND FELLOWS OF HARVARD COLLEGE, in their corporate capacity, and their successors in that capacity, their officers and servants, shall have, hold, use, exercise, and enjoy, all the powers, authorities, rights, liberties, privileges, immunities, and franchises, which they now have, or are entitled

Harvard College.

Powers, privileges, etc., of the president and fellows, confirmed.

to have, hold, use, exercise, and enjoy; and the same are hereby ratified and confirmed unto them, the said president and fellows of Harvard College, and to their successors, and to their officers and servants, respectively, forever.

II. And whereas there have been at sundry times, by divers persons, gifts, grants, devises of houses, lands, tenements, goods, chattels, legacies, and conveyances, heretofore made, either to Harvard College in Cambridge, in New England, or to the president and fellows of Harvard College, or to the said college by some other description, under several charters, successively; it is declared, that all the said gifts, grants, devises, legacies, and conveyances, are hereby forever confirmed unto the president and fellows of Harvard College, and to their successors in the capacity aforesaid, according to the true intent and meaning of the donor or donors, grantor or grantors, devisor or devisors.

All gifts, grants, etc., confirmed.

III. And whereas, by an act of the general court of the colony of Massachusetts Bay, passed in the year one thousand six hundred and forty-two, the governor and deputy-governor, for the time being, and all the magistrates of that jurisdiction, were, with the president, and a number of the clergy in the said act described, constituted the overseers of Harvard College; and it being necessary, in this new constitution of government to ascertain who shall be deemed successors to the said governor, deputy-governor, and magistrates; it is declared, that the governor, lieutenant-governor, council, and senate of this commonwealth, are, and shall be deemed, their successors, who, with the president of Harvard College, for the time being, together with the ministers of the congregational churches in the towns of Cambridge, Watertown, Charlestown, Boston, Roxbury, and Dorchester, mentioned in the said act, shall be, and hereby are, vested with all the powers and authority belonging, or in any way appertaining to the overseers of Harvard College; provided, that nothing herein shall be construed to prevent the legislature of this commonwealth from making such alterations in the government of the said university, as shall be conducive to its advantage, and the interest of the republic of letters, in as full a manner as might have been done by the legislature of the late Province of the Massachusetts Bay.

Who shall be overseers.

See Statutes, 1851, 224. 1852, 27. 1859, 212. 1865, 173. 1880, 65.

Power of alteration reserved to the legislature.

CHAPTER V.

Section II.

The Encouragement of Literature, etc.

Wisdom and knowledge, as well as virtue, diffused generally among the body of the people, being necessary for the preservation of their rights and liberties; and as these depend on spreading the opportunities and advantages of education in the various parts of the country, and among the different orders of the people, it shall be the duty of legislatures and magistrates, in all future periods of this commonwealth, to cherish the interests of literature and the sciences, and all seminaries of them; especially the university at Cambridge, public schools and grammar schools in the towns; to encourage private societies and public institutions, rewards and immunities, for the promotion of agriculture, arts, sciences, commerce, trades, manufactures, and a natural history of the country; to countenance and inculcate the principles of humanity and general benevolence, public and private charity, industry and frugality, honesty and punctuality in their dealings; sincerity, good humor, and all social affections, and generous sentiments, among the people.

Duty of legislatures and magistrates in all future periods. For further provisions as to public schools, see amendments, Art. XVIII. 12 Allen, 500–503. 103 Mass. 94, 97.

CHAPTER VI.

OATHS AND SUBSCRIPTIONS; INCOMPATIBILITY OF AND EXCLUSION FROM OFFICES; PECUNIARY QUALIFICATIONS; COMMISSIONS; WRITS; CONFIRMATION OF LAWS; HABEAS CORPUS; THE ENACTING STYLE; CONTINUANCE OF OFFICERS; PROVISION FOR A FUTURE REVISAL OF THE CONSTITUTION, ETC.

Article I. [Any person chosen governor, lieutenant-governor, councillor, senator, or representative, and accepting the trust, shall, before he proceed to execute the duties of his place or office, make and subscribe the following declaration, viz.:

Oaths, etc.

"I, A. B., do declare, that I believe the Christian religion, and have a firm persuasion of its truth; and that I am seised and possessed, in my own right, of the property required by the constitution, as one qualification for the office or place to which I am elected."

Abolished. See amendments, Art. VII.

And the governor, lieutenant-governor, and councillors, shall make and subscribe the said declaration, in the pres-

ence of the two houses of assembly; and the senators and representatives, first elected under this constitution, before the president and five of the council of the former constitution; and forever afterwards before the governor and council for the time being.]

Declaration and oaths of all officers.

And every person chosen to either of the places or offices aforesaid, as also any person appointed or commissioned to any judicial, executive, military, or other office under the government, shall, before he enters on the discharge of the business of his place or office, take and subscribe the following declaration, and oaths or affirmations, viz.:

For new oath of allegiance, see amendments, Art. VI.

[" I, A. B., do truly and sincerely acknowledge, profess, testify, and declare, that the Commonwealth of Massachusetts is, and of right ought to be, a free, sovereign, and independent state; and I do swear, that I will bear true faith and allegiance to the said commonwealth, and that I will defend the same against traitorous conspiracies and all hostile attempts whatsoever; and that I do renounce and abjure all allegiance, subjection, and obedience to the king, queen, or government of Great Britain (as the case may be), and every other foreign power whatsoever; and that no foreign prince, person, prelate, state, or potentate, hath, or ought to have, any jurisdiction, superiority, preeminence, authority, dispensing or other power, in any matter, civil, ecclesiastical, or spiritual, within this commonwealth, except the authority and power which is or may be vested by their constituents in the congress of the United States: and I do further testify and declare, that no man or body of men hath or can have any right to absolve or discharge me from the obligation of this oath, declaration, or affirmation; and that I do make this acknowledgment, profession, testimony, declaration, denial, renunciation, and abjuration, heartily and truly, according to the common meaning and acceptation of the foregoing words, without any equivocation, mental evasion, or secret reservation whatsoever. So help me, GOD."]

Oath of office.

"I, A. B., do solemnly swear and affirm, that I will faithfully and impartially discharge and perform all the duties incumbent on me as , according to the best of my abilities and understanding, agreeably to the rules and regulations of the constitution and the laws of the commonwealth. So help me, GOD."

Proviso. See amendments, Art. VI.

Provided, always, that when any person chosen or appointed as aforesaid, shall be of the denomination of the

people called Quakers, and shall decline taking the said oath[s], he shall make his affirmation in the foregoing form, and subscribe the same, omitting the words, [" *I do swear*," " *and abjure*," " *oath or*," " *and abjuration*," in the first oath, and in the second oath, the words] " *swear and*," and [in each of them] the words " *So help me*, GOD ;" subjoining instead thereof, " *This I do under the pains and penalties of perjury.*"

Oaths and affirmations, how administered.

And the said oaths or affirmations shall be taken and subscribed by the governor, lieutenant-governor, and councillors, before the president of the senate, in the presence of the two houses of assembly ; and by the senators and representatives first elected under this constitution, before the president and five of the council of the former constitution ; and forever afterwards before the governor and council for the time being ; and by the residue of the officers aforesaid, before such persons and in such manner as from time to time shall be prescribed by the legislature.

Plurality of offices prohibited to governor, etc., except, etc. See amendments, Art. VIII.

II. No governor, lieutenant-governor, or judge of the supreme judicial court, shall hold any other office or place, under the authority of this commonwealth, except such as by this constitution they are admitted to hold, saving that the judges of the said court may hold the offices of justices of the peace through the state ; nor shall they hold any other place or office, or receive any pension or salary from any other state or government or power whatever.

Same subject. 1 Allen, 553.

No person shall be capable of holding or exercising at the same time, within this state, more than one of the following offices, viz. : judge of probate — sheriff — register of probate — or register of deeds ; and never more than any two offices, which are to be held by appointment of the governor, or the governor and council, or the senate, or the house of representatives, or by the election of the people of the state at large, or of the people of any county, military offices, and the offices of justices of the peace excepted, shall be held by one person.

Incompatible offices. For further provisions as to incompatible offices, see amendments, Art. VIII. Officers of Harvard College excepted by amendments, Art. XXVII.

No person holding the office of judge of the supreme judicial court — secretary — attorney-general — solicitor-general — treasurer or receiver-general — judge of probate — commissary-general — [president, professor, or instructor of Harvard College] — sheriff — clerk of the house of representatives — register of probate — register of deeds — clerk of the supreme judicial court — clerk of the inferior court of common pleas — or officer of the customs, including in this description naval officers — shall at the

same time have a seat in the senate or house of representatives; but their being chosen or appointed to, and accepting the same, shall operate as a resignation of their seat in the senate or house of representatives; and the place so vacated shall be filled up.

Incompatible offices.

And the same rule shall take place in case any judge of the said supreme judicial court, or judge of probate, shall accept a seat in council; or any councillor shall accept of either of those offices or places.

Bribery, etc., disqualify.

And no person shall ever be admitted to hold a seat in the legislature, or any office of trust or importance under the government of this commonwealth, who shall, in the due course of law, have been convicted of bribery or corruption in obtaining an election or appointment.

Value of money ascertained.

III. In all cases where sums of money are mentioned in this constitution, the value thereof shall be computed in silver, at six shillings and eight pence per ounce; and it shall be in the power of the legislature, from time to time, to increase such qualifications, as to property, of the persons to be elected to offices, as the circumstances of the commonwealth shall require.

Property qualifications may be increased. See amendments, Arts. XIII. and XXXIV.

Provisions respecting commissions.

IV. All commissions shall be in the name of the Commonwealth of Massachusetts, signed by the governor and attested by the secretary or his deputy, and have the great seal of the commonwealth affixed thereto.

Provisions respecting writs. 2 Pick. 592. 3 Met. 58. 13 Gray, 74.

V. All writs, issuing out of the clerk's office in any of the courts of law, shall be in the name of the Commonwealth of Massachusetts; they shall be under the seal of the court from whence they issue; they shall bear test of the first justice of the court to which they shall be returnable, who is not a party, and be signed by the clerk of such court.

Continuation of former laws, except, etc. 1 Mass. 59. 2 Mass. 534. 8 Pick. 309, 316. 16 Pick. 107, 115. 2 Met. 118.

VI. All the laws which have heretofore been adopted, used, and approved in the Province, Colony, or State of Massachusetts Bay, and usually practised on in the courts of law, shall still remain and be in full force, until altered or repealed by the legislature; such parts only excepted as are repugnant to the rights and liberties contained in this constitution.

Benefit of *habeas corpus* secured, except, etc.

VII. The privilege and benefit of the writ of *habeas corpus* shall be enjoyed in this commonwealth, in the most free, easy, cheap, expeditious, and ample manner; and shall not be suspended by the legislature, except upon the most urgent and pressing occasions, and for a limited time, not exceeding twelve months.

The enacting style.

VIII. The enacting style, in making and passing all acts, statutes, and laws, shall be — "Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same."

Officers of former government continued until, etc.

IX. To the end there may be no failure of justice, or danger arise to the commonwealth from a change of the form of government, all officers, civil and military, holding commissions under the government and people of Massachusetts Bay in New England, and all other officers of the said government and people, at the time this constitution shall take effect, shall have, hold, use, exercise, and enjoy, all the powers and authority to them granted or committed, until other persons shall be appointed in their stead; and all courts of law shall proceed in the execution of the business of their respective departments; and all the executive and legislative officers, bodies, and powers shall continue in full force, in the enjoyment and exercise of all their trusts, employments and authority; until the general court, and the supreme and executive officers under this constitution, are designated and invested with their respective trusts, powers, and authority.

Provision for revising constitution. For existing provision as to amendments, see amendments, Art. IX.

X. [In order the more effectually to adhere to the principles of the constitution, and to correct those violations which by any means may be made therein, as well as to form such alterations as from experience shall be found necessary, the general court which shall be in the year of our Lord one thousand seven hundred and ninety-five, shall issue precepts to the selectmen of the several towns, and to the assessors of the unincorporated plantations, directing them to convene the qualified voters of their respective towns and plantations, for the purpose of collecting their sentiments on the necessity or expediency of revising the constitution, in order to amendments.

Provision for revising constitution.

And if it shall appear, by the returns made, that two-thirds of the qualified voters throughout the state, who shall assemble and vote in consequence of the said precepts, are in favor of such revision or amendment, the general court shall issue precepts, or direct them to be issued from the secretary's office, to the several towns to elect delegates to meet in convention for the purpose aforesaid.

The said delegates to be chosen in the same manner and proportion as their representatives in the second branch of the legislature are by this constitution to be chosen.]

Provision for preserving and publishing this constitution.

XI. This form of government shall be enrolled on parchment, and deposited in the secretary's office, and be a part of the laws of the land; and printed copies thereof shall be prefixed to the book containing the laws of this commonwealth, in all future editions of the said laws.

ARTICLES OF AMENDMENT.

Bill, etc., not approved within five days, not to become a law, if legislature adjourn in the mean time. 3 Mass. 567. See Const., Ch. I., § 1, Art. II.

ARTICLE I. If any bill or resolve shall be objected to, and not approved by the governor; and if the general court shall adjourn within five days after the same shall have been laid before the governor for his approbation, and thereby prevent his returning it with his objections, as provided by the constitution, such bill or resolve shall not become a law, nor have force as such.

General court empowered to charter cities. 122 Mass. 354.

ART. II. The general court shall have full power and authority to erect and constitute municipal or city governments, in any corporate town or towns in this commonwealth, and to grant to the inhabitants thereof such powers, privileges, and immunities, not repugnant to the constitution, as the general court shall deem necessary or expedient for the regulation and government thereof, and to prescribe the manner of calling and holding public meetings of the inhabitants, in wards or otherwise, for the election of officers under the constitution, and the manner of returning the votes given at such meetings.

Proviso. 112 Mass. 200.

Provided, that no such government shall be erected or constituted in any town not containing twelve thousand inhabitants, nor unless it be with the consent, and on the application of a majority of the inhabitants of such town, present and voting thereon, pursuant to a vote at a meeting duly warned and holden for that purpose. And provided, also, that all by-laws, made by such municipal or city government, shall be subject, at all times, to be annulled by the general court.

Qualifications of voters for governor, lieutenant-governor, senators and representatives. See amendments, Arts. XXX., XXXII. and XL. 11 Pick. 538, 540. 14 Pick. 341. 14 Mass. 367. 5 Met. 162, 298, 591, 594.

ART. III. Every male citizen of twenty-one years of age and upwards, excepting paupers and persons under guardianship, who shall have resided within the commonwealth one year, and within the town or district in which he may claim a right to vote, six calendar months next preceding any election of governor, lieutenant-governor, senators, or representatives, [and who shall have paid, by himself, or his parent, master, or guardian, any state

or county tax, which shall, within two years next preceding such election, have been assessed upon him, in any town or district of this commonwealth; and also every citizen who shall be, by law, exempted from taxation, and who shall be, in all other respects, qualified as above mentioned,] shall have a right to vote in such election of governor, lieutenant-governor, senators, and representatives; and no other person shall be entitled to vote in such election.

7 Gray, 299. 122 Mass. 595, 597. 124 Mass. 596. For educational qualification, see amendments, Art. XX. For provision as to those who have served in the army or navy in time of war, see amendments, Arts. XXVIII. and XXXI.

See also amendments, Art. XXIII., which was annulled by amendments, Art. XXVI.

Notaries public, how appointed and removed.

ART. IV. Notaries public shall be appointed by the governor in the same manner as judicial officers are appointed, and shall hold their offices during seven years, unless sooner removed by the governor, with the consent of the council, upon the address of both houses of the legislature.

See amendments, Art. XXXVII.

Vacancies in the offices of secretary and treasurer, how filled. This clause superseded by amendments, Art. XVII.

[In case the office of secretary or treasurer of the commonwealth shall become vacant from any cause, during the recess of the general court, the governor, with the advice and consent of the council, shall nominate and appoint, under such regulations as may be prescribed by law, a competent and suitable person to such vacant office, who shall hold the same until a successor shall be appointed by the general court.]

Commissary-general may be appointed, in case, etc.

Whenever the exigencies of the commonwealth shall require the appointment of a commissary-general, he shall be nominated, appointed, and commissioned, in such manner as the legislature may, by law, prescribe.

Militia officers, how removed.

All officers commissioned to command in the militia may be removed from office in such manner as the legislature may, by law, prescribe.

Who may vote for captains and subalterns.

ART. V. In the elections of captains and subalterns of the militia, all the members of their respective companies, as well those under as those above the age of twenty-one years, shall have a right to vote.

Oath to be taken by all officers. See Const., Ch. VI., Art. I.

ART. VI. Instead of the oath of allegiance prescribed by the constitution, the following oath shall be taken and subscribed by every person chosen or appointed to any office, civil or military, under the government of this commonwealth, before he shall enter on the duties of his office, to wit: —

"I, A. B., do solemnly swear, that I will bear true faith and allegiance to the Commonwealth of Massachusetts, and will support the constitution thereof. So help me, GOD."

Proviso. Quakers may affirm.

Provided, That when any person shall be of the denomination called Quakers, and shall decline taking said oath, he shall make his affirmation in the foregoing form, omitting the word "swear" and inserting, instead thereof, the word "affirm," and omitting the words "So help me, God," and subjoining, instead thereof, the words, "This I do under the pains and penalties of perjury."

Tests abolished.

ART. VII. No oath, declaration, or subscription, excepting the oath prescribed in the preceding article, and the oath of office, shall be required of the governor, lieutenant-governor, councillors, senators, or representatives, to qualify them to perform the duties of their respective offices.

Incompatibility of offices. 122 Mass. 445, 600. 123 Mass. 525.

ART. VIII. No judge of any court of this commonwealth, (except the court of sessions,) and no person holding any office under the authority of the United States, (postmasters excepted,) shall, at the same time, hold the office of governor, lieutenant-governor, or councillor, or have a seat in the senate or house of representatives of this commonwealth; and no judge of any court in this commonwealth, (except the court of sessions,) nor the attorney-general, solicitor-general, county attorney, clerk of any court, sheriff, treasurer and receiver-general, register of probate, nor register of deeds, shall continue to hold his said office after being elected a member of the Congress of the United States, and accepting that trust; but the acceptance of such trust, by any of the officers aforesaid, shall be deemed and taken to be a resignation of his said office; and judges of the courts of common pleas shall hold no other office under the government of this commonwealth, the office of justice of the peace and militia offices excepted.

Amendments to constitution, how made.

ART. IX. If, at any time hereafter, any specific and particular amendment or amendments to the constitution be proposed in the general court, and agreed to by a majority of the senators and two-thirds of the members of the house of representatives present and voting thereon, such proposed amendment or amendments shall be entered on the journals of the two houses, with the yeas and nays taken thereon, and referred to the general court then next to be chosen, and shall be published; and if, in the general court next chosen as aforesaid, such proposed amendment or amendments shall be agreed to by a majority of the senators and two-thirds of the members of the house of representatives present and voting thereon, then it shall be the duty of the general court to submit such proposed

amendment or amendments to the people; and if they shall be approved and ratified by a majority of the qualified voters, voting thereon, at meetings legally warned and holden for that purpose, they shall become part of the constitution of this commonwealth.

Commencement of political year,

ART. X. The political year shall begin on the first Wednesday of January, instead of the last Wednesday of May; and the general court shall assemble every year on the said first Wednesday of January, and shall proceed, at that session, to make all the elections, and do all the other acts, which are by the constitution required to be made and done at the session which has heretofore commenced on the last Wednesday of May. And the general court shall be dissolved on the day next preceding the first Wednesday of January, without any proclamation or other act of the governor. But nothing herein contained shall prevent the general court from assembling at such other times as they shall judge necessary, or when called together by the governor. The governor, lieutenant-governor and councillors, shall also hold their respective offices for one year next following the first Wednesday of January, and until others are chosen and qualified in their stead.

and termination.

Meetings for the choice of governor, lieutenant-governor, etc., when to be held. This clause superseded by amendments, Art. XV.

[The meeting for the choice of governor, lieutenant-governor, senators, and representatives, shall be held on the second Monday of November in every year; but meetings may be adjourned, if necessary, for the choice of representatives, to the next day, and again to the next succeeding day, but no further. But in case a second meeting shall be necessary for the choice of representatives, such meetings shall be held on the fourth Monday of the same month of November.]

All the other provisions of the constitution, respecting the elections and proceedings of the members of the general court, or of any other officers or persons whatever, that have reference to the last Wednesday of May, as the commencement of the political year, shall be so far altered, as to have like reference to the first Wednesday of January.

Article, when to go into operation.

This article shall go into operation on the first day of October, next following the day when the same shall be duly ratified and adopted as an amendment of the constitution; and the governor, lieutenant-governor, councillors, senators, representatives, and all other state officers, who are annually chosen, and who shall be chosen for the current year, when the same shall go into operation, shall hold their respective offices until the first Wednesday of

January then next following, and until others are chosen and qualified in their stead, and no longer; and the first election of the governor, lieutenant-governor, senators, and representatives, to be had in virtue of this article, shall be had conformably thereunto, in the month of November following the day on which the same shall be in force, and go into operation, pursuant to the foregoing provision.

Inconsistent provisions annulled.

All the provisions of the existing constitution, inconsistent with the provisions herein contained, are hereby wholly annulled.

Religious freedom established. See Dec. of Rights, Art. III.

ART. XI. Instead of the third article of the bill of rights, the following modification and amendment thereof is substituted: —

"As the public worship of GOD and instructions in piety, religion, and morality, promote the happiness and prosperity of a people, and the security of a republican government; therefore, the several religious societies of this commonwealth, whether corporate or unincorporate, at any meeting legally warned and holden for that purpose, shall ever have the right to elect their pastors or religious teachers, to contract with them for their support, to raise money for erecting and repairing houses for public worship, for the maintenance of religious instruction, and for the payment of necessary expenses; and all persons belonging to any religious society shall be taken and held to be members, until they shall file with the clerk of such society a written notice, declaring the dissolution of their membership, and thenceforth shall not be liable for any grant or contract which may be thereafter made, or entered into by such society; and all religious sects and denominations, demeaning themselves peaceably, and as good citizens of the commonwealth, shall be equally under the protection of the law; and no subordination of any one sect or denomination to another shall ever be established by law."

122 Mass. 40, 41.

Census of ratable polls to be taken in 1837, and decennially thereafter. This article was superseded by amendments, Art. XIII., which was also superseded by amendments, Art. XXI. Representatives, how apportioned.

ART. XII. [In order to provide for a representation of the citizens of this commonwealth, founded upon the principles of equality, a census of the ratable polls, in each city, town, and district of the commonwealth, on the first day of May, shall be taken and returned into the secretary's office, in such manner as the legislature shall provide, within the month of May, in the year of our Lord one thousand eight hundred and thirty-seven, and in every tenth year thereafter, in the month of May, in manner aforesaid; and each town or city having three hundred rata-

ble polls at the last preceding decennial census of polls, may elect one representative, and for every four hundred and fifty ratable polls in addition to the first three hundred, one representative more.

Towns having less than 300 ratable polls, how represented.

Any town having less than three hundred ratable polls shall be represented thus: The whole number of ratable polls, at the last preceding decennial census of polls, shall be multiplied by ten, and the product divided by three hundred; and such town may elect one representative as many years within ten years, as three hundred is contained in the product aforesaid.

Fractions, how represented.

Any city or town having ratable polls enough to elect one or more representatives, with any number of polls beyond the necessary number, may be represented, as to that surplus number, by multiplying such surplus number by ten and dividing the product by four hundred and fifty; and such city or town may elect one additional representative as many years, within the ten years, as four hundred and fifty is contained in the product aforesaid.

Towns may unite into representative districts.

Any two or more of the several towns and districts may, by consent of a majority of the legal voters present at a legal meeting, in each of said towns and districts, respectively, called for that purpose, and held previous to the first day of July, in the year in which the decennial census of polls shall be taken, form themselves into a representative district to continue until the next decennial census of polls, for the election of a representative, or representatives; and such district shall have all the rights, in regard to representation, which would belong to a town containing the same number of ratable polls.

The governor and council to determine the number of representatives to which each town is entitled.

The governor and council shall ascertain and determine, within the months of July and August, in the year of our Lord one thousand eight hundred and thirty-seven, according to the foregoing principles, the number of representatives, which each city, town, and representative district is entitled to elect, and the number of years, within the period of ten years then next ensuing, that each city, town, and representative district may elect an additional representative; and where any town has not a sufficient number of polls to elect a representative each year, then, how many years within the ten years, such town may elect a representative; and the same shall be done once in ten years, thereafter, by the governor and council, and the number of ratable polls in each decennial census of polls, shall determine the number of representatives, which each

New apportionment to be made once in every ten years.

city, town and representative district may elect as aforesaid; and when the number of representatives to be elected by each city, town, or representative district is ascertained and determined as aforesaid, the governor shall cause the same to be published forthwith for the information of the people, and that number shall remain fixed and unalterable for the period of ten years.

Inconsistent provisions annulled.

All the provisions of the existing constitution inconsistent with the provisions herein contained, are hereby wholly annulled.]

Census of inhabitants to be taken in 1840, and decennially thereafter, for basis of representation. Provisions as to census superseded by amendments, Arts. XXI. and XXII.

ART. XIII. [A census of the inhabitants of each city and town, on the first day of May, shall be taken, and returned into the secretary's office, on or before the last day of June, of the year one thousand eight hundred and forty, and of every tenth year thereafter; which census shall determine the apportionment of senators and representatives for the term of ten years. 122 Mass. 595.

Senatorial districts declared permanent. Provisions as to senators superseded by amendments, Art. XXII.

The several senatorial districts now existing shall be permanent. The senate shall consist of forty members; and in the year one thousand eight hundred and forty, and every tenth year thereafter, the governor and council shall assign the number of senators to be chosen in each district, according to the number of inhabitants in the same. But, in all cases, at least one senator shall be assigned to each district.

House of representatives, how apportioned. Provisions as to representatives superseded by amendments, Art. XXI.

The members of the house of representatives shall be apportioned in the following manner: Every town or city containing twelve hundred inhabitants may elect one representative; and two thousand four hundred inhabitants shall be the mean increasing number, which shall entitle it to an additional representative.

Small towns, how represented.

Every town containing less than twelve hundred inhabitants shall be entitled to elect a representative as many times within ten years as the number one hundred and sixty is contained in the number of the inhabitants of said town. Such towns may also elect one representative for the year in which the valuation of estates within the commonwealth shall be settled.

Towns may unite into representative districts.

Any two or more of the several towns may, by consent of a majority of the legal voters present at a legal meeting, in each of said towns, respectively, called for that purpose, and held before the first day of August, in the year one thousand eight hundred and forty, and every tenth year thereafter, form themselves into a representative district, to continue for the term of ten years; and

such district shall have all the rights, in regard to representation, which would belong to a town containing the same number of inhabitants.

Basis of representation, and ratio of increase.

The number of inhabitants which shall entitle a town to elect one representative, and the mean increasing number which shall entitle a town or city to elect more than one, and also the number by which the population of towns not entitled to a representative every year is to be divided, shall be increased, respectively, by one-tenth of the numbers above mentioned, whenever the population of the commonwealth shall have increased to seven hundred and seventy thousand, and for every additional increase of seventy thousand inhabitants, the same addition of one-tenth shall be made, respectively, to the said numbers above mentioned.

The governor and council to apportion the number of representatives of each town once in every ten years.

In the year of each decennial census, the governor and council shall, before the first day of September, apportion the number of representatives which each city, town, and representative district is entitled to elect, and ascertain how many years, within ten years, any town may elect a representative, which is not entitled to elect one every year; and the governor shall cause the same to be published forthwith.

Councillors to be chosen from the people at large. Provisions as to councillors superseded by amendments, Art. XVI.

Nine councillors shall be annually chosen from among the people at large, on the first Wednesday of January, or as soon thereafter as may be, by the joint ballot of the senators and representatives, assembled in one room, who shall, as soon as may be, in like manner, fill up any vacancies that may happen in the council, by death, resignation, or otherwise. No person shall be elected a councillor, who has not been an inhabitant of this commonwealth for the term of five years immediately preceding his election; and not more than one councillor shall be chosen from any one senatorial district in the commonwealth.]

Qualifications of councillors.

Freehold as a qualification for a seat in general court or council not required.

No possession of a freehold, or of any other estate, shall be required as a qualification for holding a seat in either branch of the general court, or in the executive council.

Elections by the people to be by plurality of votes.

ART. XIV. In all elections of civil officers by the people of this commonwealth, whose election is provided for by the constitution, the person having the highest number of votes shall be deemed and declared to be elected.

Time of annual election of governor and legislature.

ART. XV. The meeting for the choice of governor, lieutenant-governor, senators, and representatives, shall be held on the Tuesday next after the first Monday in November, annually; but in case of a failure to elect rep-

resentatives on that day, a second meeting shall be holden, for that purpose, on the fourth Monday of the same month of November.

Eight councillors to be chosen by the people. 122 Mass. 595, 598.

ART. XVI. Eight councillors shall be annually chosen by the inhabitants of this commonwealth, qualified to vote for governor. The election of councillors shall be determined by the same rule that is required in the election of governor. The legislature, at its first session after this amendment shall have been adopted, and at its first session after the next state census shall have been taken, and at its first session after each decennial state census

Legislature to district state.

thereafterwards, shall divide the commonwealth into eight districts of contiguous territory, each containing a number of inhabitants as nearly equal as practicable, without dividing any town or ward of a city, and each entitled to elect one councillor: *provided*, *however*, that if, at any time, the constitution shall provide for the division of the commonwealth into forty senatorial districts, then the legislature shall so arrange the councillor districts, that each district shall consist of five contiguous senatorial districts, as they shall be, from time to time, established by the legislature.

Eligibility defined.

No person shall be eligible to the office of councillor who has not been an inhabitant of the commonwealth for the term of five years immediately preceding his election.

Day and manner of election, etc.

The day and manner of the election, the return of the votes, and the declaration of the said elections, shall be the same as are required in the election of governor.

Vacancies, how filled. For new provision as to vacancies, see amendments, Art. XXV.

[Whenever there shall be a failure to elect the full number of councillors, the vacancies shall be filled in the same manner as is required for filling vacancies in the senate; and vacancies occasioned by death, removal from the state, or otherwise, shall be filled in like manner, as soon as may

Organization of the government.

be, after such vacancies shall have happened.] And that there may be no delay in the organization of the government on the first Wednesday of January, the governor, with at least five councillors for the time being, shall, as soon as may be, examine the returned copies of the records for the election of governor, lieutenant-governor, and councillors; and ten days before the said first Wednesday in January he shall issue his summons to such persons as appear to be chosen, to attend on that day to be qualified accordingly; and the secretary shall lay the returns before the senate and house of representatives on the said first Wednesday in January, to be by them examined; and in case of the election of either of said officers, the choice

shall be by them declared and published; but in case there shall be no election of either of said officers, the legislature shall proceed to fill such vacancies in the manner provided in the constitution for the choice of such officers.

Election of secretary, treasurer, auditor, and attorney-general by the people.

ART. XVII. The secretary, treasurer and receiver-general, auditor, and attorney-general, shall be chosen annually, on the day in November prescribed for the choice of governor; and each person then chosen as such, duly qualified in other respects, shall hold his office for the term of one year from the third Wednesday in January next thereafter, and until another is chosen and qualified in his stead. The qualification of the voters, the manner of the election, the return of the votes, and the declaration of the election, shall be such as are required in the election of governor. In case of a failure to elect either of said officers on the day in November aforesaid, or in case of the decease, in the mean time, of the person elected as such, such officer shall be chosen on or before the third Wednesday in January next thereafter, from the two persons who had the highest number of votes for said offices on the day in November aforesaid, by joint ballot of the senators and representatives, in one room; and in case the office of secretary, or treasurer and receiver-general, or auditor, or attorney-general, shall become vacant, from any cause, during an annual or special session of the general court, such vacancy shall in like manner be filled by choice from the people at large; but if such vacancy shall occur at any other time, it shall be supplied by the governor by appointment, with the advice and consent of the council. The person so chosen or appointed, duly qualified in other respects, shall hold his office until his successor is chosen and duly qualified in his stead. In case any person chosen or appointed to either of the offices aforesaid, shall neglect, for the space of ten days after he could otherwise enter upon his duties, to qualify himself in all respects to enter upon the discharge of such duties, the office to which he has been elected or appointed shall be deemed vacant. No person shall be eligible to either of said offices unless he shall have been an inhabitant of this commonwealth five years next preceding his election or appointment.

Vacancies, how filled.

To qualify within ten days, otherwise office to be deemed vacant.

Qualification requisite.

School moneys not to be applied for sectarian schools. For original provision as to

ART. XVIII. All moneys raised by taxation in the towns and cities for the support of public schools, and all moneys which may be appropriated by the state for the support of common schools, shall be applied to, and

schools, see constitution, Part First, Art. III.
12 Allen, 500, 508.
103 Mass. 94, 96.

expended in, no other schools than those which are conducted according to law, under the order and superintendence of the authorities of the town or city in which the money is to be expended; and such moneys shall never be appropriated to any religious sect for the maintenance, exclusively, of its own school.

Legislature to prescribe for the election of sheriffs, registers of probate, etc. See amendments, Art. XXXVI.
8 Gray, 1.
13 Gray, 74.

ART. XIX. The legislature shall prescribe, by general law, for the election of sheriffs, registers of probate, [commissioners of insolvency,] and clerks of the courts, by the people of the several counties, and that district-attorneys shall be chosen by the people of the several districts, for such term of office as the legislature shall prescribe.

110 Mass. 172, 173. 117 Mass. 602, 603. 121 Mass. 65.

Reading constitution in English and writing, necessary qualifications of voters. Proviso. For other qualifications, see amendments, Art. III. See also amendments, Art. XXIII., which was annulled by amendments, Art. XXVI.

ART. XX. No person shall have the right to vote, or be eligible to office under the constitution of this commonwealth, who shall not be able to read the constitution in the English language, and write his name: *provided*, *however*, that the provisions of this amendment shall not apply to any person prevented by a physical disability from complying with its requisitions, nor to any person who now has the right to vote, nor to any persons who shall be sixty years of age or upwards at the time this amendment shall take effect.

Census of legal voters and of inhabitants, when taken, etc. See P. S. c. 31.

ART. XXI. A census of the legal voters of each city and town, on the first day of May, shall be taken and returned into the office of the secretary of the commonwealth, on or before the last day of June, in the year one thousand eight hundred and fifty-seven; and a census of the inhabitants of each city and town, in the year one thousand eight hundred and sixty-five, and of every tenth year thereafter. In the census aforesaid, a special enumeration shall be made of the legal voters; and in each city, said enumeration shall specify the number of such legal voters aforesaid, residing in each ward of such city. The enumeration aforesaid shall determine the apportionment of representatives for the periods between the taking of the census.

House of representatives to consist of 240 members. Legislature to apportion, etc.
10 Gray, 613.

The house of representatives shall consist of two hundred and forty members, which shall be apportioned by the legislature, at its first session after the return of each enumeration as aforesaid, to the several counties of the commonwealth, equally, as nearly as may be, according to their relative numbers of legal voters, as ascertained by the next preceding special enumeration; and the town of Cohasset, in the county of Norfolk, shall, for this pur-

pose, as well as in the formation of districts, as hereinafter provided, be considered a part of the county of Plymouth; and it shall be the duty of the secretary of the commonwealth, to certify, as soon as may be after it is determined by the legislature, the number of representatives to which each county shall be entitled, to the board authorized to divide each county into representative districts. The mayor and aldermen of the city of Boston, the county commissioners of other counties than Suffolk, — or in lieu of the mayor and aldermen of the city of Boston, or of the county commissioners in each county other than Suffolk, such board of special commissioners in each county, to be elected by the people of the county, or of the towns therein, as may for that purpose be provided by law, — shall, on the first Tuesday of August next after each assignment of representatives to each county, assemble at a shire town of their respective counties, and proceed, as soon as may be, to divide the same into representative districts of contiguous territory, so as to apportion the representation assigned to each county equally, as nearly as may be, according to the relative number of legal voters in the several districts of each county; and such districts shall be so formed that no town or ward of a city shall be divided therefor, nor shall any district be made which shall be entitled to elect more than three representatives. Every representative, for one year at least next preceding his election, shall have been an inhabitant of the district for which he is chosen, and shall cease to represent such district when he shall cease to be an inhabitant of the commonwealth. The districts in each county shall be numbered by the board creating the same, and a description of each, with the numbers thereof and the number of legal voters therein, shall be returned by the board, to the secretary of the commonwealth, the county treasurer of each county, and to the clerk of every town in each district, to be filed and kept in their respective offices. The manner of calling and conducting the meetings for the choice of representatives, and of ascertaining their election, shall be prescribed by law. [Not less than one hundred members of the house of representatives shall constitute a quorum for doing business; but a less number may organize temporarily, adjourn from day to day, and compel the attendance of absent members.]

Secretary shall certify to officers authorized to divide counties.

Meeting for division to be first Tuesday in August. Proceedings.

Qualifications of representatives. 122 Mass. 595, 598.

Districts to be numbered, described and certified.

Quorum, see amendments, Art. XXXIII.

ART. XXII. A census of the legal voters of each city and town, on the first day of May, shall be taken and

Census, etc. See P. S. c. 31.

returned into the office of the secretary of the commonwealth, on or before the last day of June, in the year one thousand eight hundred and fifty-seven; and a census of the inhabitants of each city and town, in the year one thousand eight hundred and sixty-five, and of every tenth year thereafter. In the census aforesaid, a special enumeration shall be made of the legal voters, and in each city said enumeration shall specify the number of such legal voters aforesaid, residing in each ward of such city. The enumeration aforesaid shall determine the apportionment of senators for the periods between the taking of the census. The senate shall consist of forty members. The general court shall, at its first session after each next preceding special enumeration, divide the commonwealth into forty districts of adjacent territory, each district to contain, as nearly as may be, an equal number of legal voters, according to the enumeration aforesaid: *provided*, *however*, that no town or ward of a city shall be divided therefor; and such districts shall be formed, as nearly as may be, without uniting two counties, or parts of two or more counties, into one district. Each district shall elect one senator, who shall have been an inhabitant of this commonwealth five years at least immediately preceding his election, and at the time of his election shall be an inhabitant of the district for which he is chosen; and he shall cease to represent such senatorial district when he shall cease to be an inhabitant of the commonwealth. [Not less than sixteen senators shall constitute a quorum for doing business; but a less number may organize temporarily, adjourn from day to day, and compel the attendance of absent members.]

Voters to be basis of apportionment of senators.

Senate to consist of forty members.

Senatorial districts, etc.

See amendments, Art. XXIV.

Qualifications of senators.

Quorum, see amendments, Art. XXXIII.

ART. XXIII. [No person of foreign birth shall be entitled to vote, or shall be eligible to office, unless he shall have resided within the jurisdiction of the United States for two years subsequent to his naturalization, and shall be otherwise qualified, according to the constitution and laws of this commonwealth: *provided*, that this amendment shall not affect the rights which any person of foreign birth possessed at the time of the adoption thereof; and, *provided*, *further*, that it shall not affect the rights of any child of a citizen of the United States, born during the temporary absence of the parent therefrom.]

Residence of two years required of naturalized citizens, to entitle to suffrage or make eligible to office. This article annulled by Art. XXVI.

ART. XXIV. Any vacancy in the senate shall be filled by election by the people of the unrepresented district, upon the order of a majority of the senators elected.

Vacancies in the senate.

Vacancies in the council.

ART. XXV. In case of a vacancy in the council, from a failure of election, or other cause, the senate and house of representatives shall, by concurrent vote, choose some eligible person from the people of the district wherein such vacancy occurs, to fill that office. If such vacancy shall happen when the legislature is not in session, the governor, with the advice and consent of the council, may fill the same by appointment of some eligible person.

Twenty-third article of amendments annulled.

ART. XXVI. The twenty-third article of the articles of amendment of the constitution of this commonwealth, which is as follows, to wit: "No person of foreign birth shall be entitled to vote, or shall be eligible to office, unless he shall have resided within the jurisdiction of the United States for two years subsequent to his naturalization, and shall be otherwise qualified, according to the constitution and laws of this commonwealth: *provided*, that this amendment shall not affect the rights which any person of foreign birth possessed at the time of the adoption thereof; and *provided, further*, that it shall not affect the rights of any child of a citizen of the United States, born during the temporary absence of the parent therefrom," is hereby wholly annulled.

Provisions of Art. II., Chap. VI., relating to officers of Harvard College, annulled.

ART. XXVII. So much of article two of chapter six of the constitution of this commonwealth as relates to persons holding the office of president, professor, or instructor of Harvard College, is hereby annulled.

Superseded by Art. XXXI.

ART. XXVIII. No person having served in the army or navy of the United States in time of war, and having been honorably discharged from such service, if otherwise qualified to vote, shall be disqualified therefor on account of being a pauper; or, if a pauper, because of the non-payment of a poll tax.

Voting precincts in towns.

ART. XXIX. The general court shall have full power and authority to provide for the inhabitants of the towns in this commonwealth more than one place of public meeting within the limits of each town for the election of officers under the constitution, and to prescribe the manner of calling, holding and conducting such meetings. All the provisions of the existing constitution inconsistent with the provisions herein contained are hereby annulled.

Voters not disqualified by reason of change of residence until six months from time of removal.

ART. XXX. No person, otherwise qualified to vote in elections for governor, lieutenant-governor, senators, and representatives, shall, by reason of a change of residence within the commonwealth, be disqualified from voting for said officers in the city or town from which he has removed

his residence, until the expiration of six calendar months from the time of such removal.

Amendments, Art. XXVIII. amended.

ART. XXXI. Article twenty-eight of the amendments of the constitution is hereby amended by striking out in the fourth line thereof the words "being a pauper", and inserting in place thereof the words: — receiving or having received aid from any city or town, — and also by striking out in said fourth line the words "if a pauper", so that the article as amended shall read as follows: ARTICLE XXVIII. No person having served in the army or navy of the United States in time of war, and having been honorably discharged from such service, if otherwise qualified to vote, shall be disqualified therefor on account of receiving or having received aid from any city or town, or because of the non-payment of a poll tax.

Person who served in army or navy, etc., not disqualified from voting for non-payment of poll tax.

Provisions of amendments, Art. III., relative to payment of a tax as a voting qualification, annulled.

ART. XXXII. So much of article three of the amendments of the constitution of the commonwealth as is contained in the following words: "and who shall have paid, by himself, or his parent, master, or guardian, any state or county tax, which shall, within two years next preceding such election, have been assessed upon him, in any town or district of this commonwealth; and also every citizen who shall be, by law, exempted from taxation, and who shall be, in all other respects, qualified as above mentioned", is hereby annulled.

Quorum, in each branch of the general court, to consist of a majority of members.

ART. XXXIII. A majority of the members of each branch of the general court shall constitute a quorum for the transaction of business, but a less number may adjourn from day to day, and compel the attendance of absent members. All the provisions of the existing constitution inconsistent with the provisions herein contained are hereby annulled.

Provisions of Art. II., § I., Chap. II., Part II., relative to property qualification of governor, annulled.

ART. XXXIV. So much of article two of section one of chapter two of part the second of the constitution of the commonwealth as is contained in the following words: "and unless he shall at the same time be seised, in his own right, of a freehold, within the commonwealth, of the value of one thousand pounds"; is hereby annulled.

Provisions of Art. II., § III., Chap. I., relative to expense of travelling to the general assembly by members of the house, annulled.

ART. XXXV. So much of article two of section three of chapter one of the constitution of the commonwealth as is contained in the following words: "The expenses of travelling to the general assembly, and returning home, once in every session, and no more, shall be paid by the government, out of the public treasury, to every member who shall attend as seasonably as he can, in the judg-

ment of the house, and does not depart without leave", is hereby annulled.

Amendments, Art. XIX., amended.

ART. XXXVI. So much of article nineteen of the articles of amendment to the constitution of the commonwealth as is contained in the following words: "commissioners of insolvency", is hereby annulled.

Removal of certain officers.

ART. XXXVII. The governor, with the consent of the council, may remove justices of the peace and notaries public.

Voting machines may be used at elections.

ART. XXXVIII. Voting machines or other mechanical devices for voting may be used at all elections under such regulations as may be prescribed by law: *provided, however*, that the right of secret voting shall be preserved.

Powers of the legislature relative to the taking of land, etc., for widening or relocating highways, etc.

ART. XXXIX. Article ten of part one of the constitution is hereby amended by adding to it the following words: — The legislature may by special acts for the purpose of laying out, widening or relocating highways or streets, authorize the taking in fee by the commonwealth, or by a county, city or town, of more land and property than are needed for the actual construction of such highway or street: *provided, however*, that the land and property authorized to be taken are specified in the act and are no more in extent than would be sufficient for suitable building lots on both sides of such highway or street, and after so much of the land or property has been appropriated for such highway or street as is needed therefor, may authorize the sale of the remainder for value with or without suitable restrictions.

Proviso.

Amendments, Art. III., amended.

ART. XL. Article three of the amendments to the constitution is hereby amended by inserting after the word "guardianship", in line two, the following: — and persons temporarily or permanently disqualified by law because of corrupt practices in respect to elections.

Taxation of wild or forest lands.

ART. XLI. Full power and authority are hereby given and granted to the general court to prescribe for wild or forest lands such methods of taxation as will develop and conserve the forest resources of the commonwealth.

The constitution of Massachusetts was agreed upon by delegates of the people, in convention, begun and held at Cambridge, on the first day of September, 1779, and continued by adjournments to the second day of March, 1780, when the convention adjourned to meet on the first Wednesday of the ensuing June. In the mean time the constitution was submitted to the people, to be adopted by

them, provided two-thirds of the votes given should be in the affirmative. When the convention assembled, it was found that the constitution had been adopted by the requisite number of votes, and the convention accordingly *Resolved,* "That the said Constitution or Frame of Government shall take place on the last Wednesday of October next; and not before, for any purpose, save only for that of making elections, agreeable to this resolution." The first legislature assembled at Boston, on the twenty-fifth day of October, 1780.

The first nine Articles of Amendment were submitted, by delegates in convention assembled, November 15, 1820, to the people, and by them ratified and adopted April 9, 1821.

The tenth Article was adopted by the legislatures of the political years 1829–30 and 1830–31, respectively, and was approved and ratified by the people May 11, 1831.

The eleventh Article was adopted by the legislatures of the political years 1832 and 1833, respectively, and was approved and ratified by the people November 11, 1833.

The twelfth Article was adopted by the legislatures of the political years 1835 and 1836, respectively, and was approved and ratified by the people the fourteenth day of November, 1836.

The thirteenth Article was adopted by the legislatures of the political years 1839 and 1840, respectively, and was approved and ratified by the people the sixth day of April, 1840.

The fourteenth, fifteenth, sixteenth, seventeenth, eighteenth, and nineteenth Articles were adopted by the legislatures of the political years 1854 and 1855, respectively, and ratified by the people the twenty-third day of May, 1855.

The twentieth, twenty-first, and twenty-second Articles were adopted by the legislatures of the political years 1856 and 1857, respectively, and ratified by the people on the first day of May, 1857.

The twenty-third Article was adopted by the legislatures of the political years 1858 and 1859, respectively, and ratified by the people on the ninth day of May, 1859, and was repealed by the twenty-sixth Amendment.

The twenty-fourth and twenty-fifth Articles were adopted by the legislatures of the political years 1859 and 1860, and ratified by the people on the seventh day of May, 1860.

The twenty-sixth Article was adopted by the legislatures of the political years 1862 and 1863, and ratified by the people on the sixth day of April, 1863.

The twenty-seventh Article was adopted by the legislatures of the political years 1876 and 1877, and was approved and ratified by the people on the sixth day of November, 1877.

The twenty-eighth Article was adopted by the legislatures of the political years 1880 and 1881, and was approved and ratified by the people on the eighth day of November, 1881.

The twenty-ninth Article was adopted by the legislatures of the political years 1884 and 1885, and was approved and ratified by the people on the third day of November, 1885.

The thirtieth and thirty-first Articles were adopted by the legislatures of the political years 1889 and 1890, and were approved and ratified by the people on the fourth day of November, 1890.

The thirty-second and thirty-third Articles were adopted by the legislatures of the political years 1890 and 1891, and were approved and ratified by the people on the third day of November, 1891.

The thirty-fourth Article was adopted by the legislatures of the political years 1891 and 1892, and was approved and ratified by the people on the eighth day of November, 1892.

The thirty-fifth Article was adopted by the legislatures of the political years 1892 and 1893, and was approved and ratified by the people on the seventh day of November, 1893.

The thirty-sixth Article was adopted by the legislatures of the political years 1893 and 1894, and was approved and ratified by the people on the sixth day of November, 1894.

The thirty-seventh Article was adopted by the legislatures of the political years 1906 and 1907, and was approved and ratified by the people on the fifth day of November, 1907.

The thirty-eighth Article was adopted by the legislatures of the political years 1909 and 1910, and was approved and ratified by the people on the seventh day of November, 1911.

The thirty-ninth Article was adopted by the legislatures of the political years 1910 and 1911, and was approved and ratified by the people on the seventh day of November, 1911.

The fortieth and forty-first Articles were adopted by the legislatures of the political years 1911 and 1912, and were approved and ratified by the people on the fifth day of November, 1912.

[A proposed Article of Amendment prohibiting the manufacture and sale of Intoxicating Liquor as a beverage, adopted by the legislatures of the political years 1888 and 1889, was rejected by the people on the twenty-second day of April, 1889.]

[Proposed Articles of Amendment, (1) Establishing biennial elections of state officers, and (2) Establishing biennial elections of members of the General Court, adopted by the legislatures of the political years 1895 and 1896, were rejected by the people at the annual election held on the third day of November, 1896.]

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ACTS AND RESOLVES

OF

MASSACHUSETTS.

1913.

☞ The General Court of the year nineteen hundred and thirteen assembled on Wednesday, the first day of January. The oaths of office were taken and subscribed by His Excellency EUGENE N. FOSS and His Honor DAVID I. WALSH, on Thursday, the second day of January, in the presence of the two Houses assembled in convention.

ACTS.

AN ACT MAKING APPROPRIATIONS FOR THE COMPENSATION OF THE MEMBERS OF THE GENERAL COURT, FOR THE COMPENSATION OF CERTAIN OFFICERS THEREOF AND FOR EXPENSES IN CONNECTION THEREWITH. *Chap.* 1

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, for the purposes specified, for the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen, to wit: — Appropriations.

For the compensation of senators, forty-one thousand dollars. Senators, compensation.

For compensation for travel of senators, a sum not exceeding thirty-two hundred dollars. Travel.

For the compensation of representatives, two hundred and forty-one thousand dollars. Representatives, compensation.

For compensation for travel of representatives, a sum not exceeding nineteen thousand dollars. Travel.

For the salary of Henry D. Coolidge, clerk of the senate, thirty-five hundred dollars. Clerk of the senate.

For the salary of William H. Sanger, assistant clerk of the senate, twenty-five hundred dollars. Assistant clerk of the senate.

For such additional clerical assistance to the clerk of the senate as may be necessary for the proper despatch of public business, a sum not exceeding fifteen hundred dollars. Clerical assistance.

For the salary of James W. Kimball, clerk of the house of representatives, thirty-five hundred dollars. Clerk of the house.

For the salary of Frank E. Bridgman, assistant clerk of the house of representatives, twenty-five hundred dollars. Assistant clerk of the house.

For such additional clerical assistance to the clerk of the house of representatives as may be necessary for the proper Clerical assistance.

despatch of public business, a sum not exceeding twenty-five hundred dollars.

Chaplains. For the compensation of the chaplains of the senate and house of representatives, six hundred dollars.

Doorkeepers, etc. For the salaries of the doorkeepers of the senate and house of representatives, and the postmaster, forty-four hundred dollars.

Assistant doorkeepers, etc. For the compensation of assistant doorkeepers and messengers to the senate and house of representatives, a sum not exceeding twenty-five thousand two hundred dollars.

Pages. For the compensation of the pages to the senate and house of representatives, a sum not exceeding sixty-one hundred and twenty dollars.

Printing and binding. For printing and binding ordered by the senate and house of representatives, or by concurrent order of the two branches, a sum not exceeding fifty-five thousand dollars.

Manual. For printing and binding the manual for the general court, under the direction of the clerks of the senate and house of representatives, a sum not exceeding fifty-four hundred dollars.

Senate stationery. For stationery for the senate, purchased by the clerk, a sum not exceeding eight hundred dollars.

House stationery. For stationery for the house of representatives, purchased by the clerk, a sum not exceeding one thousand dollars.

Contingent expenses. For contingent expenses of the senate and house of representatives, and necessary expenses in and about the state house, a sum not exceeding eighty-three hundred and fifty dollars.

Expenses of committees. For authorized expenses of committees of the present general court, including clerical assistance to committees authorized to employ the same, a sum not exceeding fifteen thousand dollars.

Advertising hearings. For expenses of advertising hearings of the committees of the present general court, including expenses of preparing and mailing the advertisements to the various newspapers, a sum not exceeding ten thousand dollars.

Witness fees, etc. For expenses of summoning witnesses, and for fees of such witnesses, a sum not exceeding two hundred dollars.

Publication of bulletin. For expenses in connection with the publication of the bulletin of committee hearings, a sum not exceeding sixty-five hundred dollars.

SECTION 2. This act shall take effect upon its passage.

Approved January 8, 1913.

An Act making an appropriation for the compensation and expenses of the electoral college. *Chap.* 2

Be it enacted, etc., as follows:

Section 1. A sum not exceeding eight hundred dollars is hereby appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, for the compensation and expenses of the electoral college. Electoral college, expenses, etc.

Section 2. This act shall take effect upon its passage.

Approved January 13, 1913.

An Act to change the designation of the loan authorized for the construction of an asylum at the Grafton colony. *Chap.* 3

Be it enacted, etc., as follows:

Section 1. Section five of chapter six hundred and seventy-nine of the acts of the year nineteen hundred and twelve is hereby amended by striking out the words "Grafton Hospital Loan", in the twelfth line, and inserting in place thereof the words: — Prisons and Hospitals Loan, — so as to read as follows: — *Section 5.* To provide for the expenses connected with the construction of said buildings at the Grafton colony as authorized by this act, the treasurer and receiver general is hereby authorized, with the approval of the governor and council, to issue from time to time bonds or certificates of indebtedness to an amount not exceeding in the aggregate four hundred thousand dollars. Such bonds or certificates of indebtedness shall be payable in annual proportionate payments within five years from the respective dates of issue, and shall bear interest at a rate not exceeding four per cent per annum, payable semi-annually. They shall be designated on the face thereof as the Prisons and Hospitals Loan, shall be countersigned by the governor, shall be deemed a pledge of the faith and credit of the commonwealth, and the principal and interest thereof shall be paid at the times specified therein in gold coin of the United States or its equivalent. Such bonds or certificates of indebtedness shall be disposed of by public auction, or in such other manner, and at such times and prices, and in such amounts, and shall bear such rates of interest not exceeding four per cent per annum, as shall be deemed best for the commonwealth; but they shall not be 1912, 679, § 5, amended. Prisons and Hospitals Loan, etc.

sold at less than the par value thereof. The proceeds of the sale of said securities, together with the proceeds of the sales of the real estate now occupied by the Worcester state asylum, shall be credited by the treasurer of the commonwealth to a fund to be called the Grafton Hospital Fund, and from said fund shall be paid the expenses incurred in connection with the construction of said buildings at the Grafton colony. The amount required to pay the interest on said bonds or certificates of indebtedness and the annual payment on account of the principal thereof shall be raised by taxation from year to year. Any excess in the receipts from such sale of real estate above the amounts needed for construction at the Grafton colony shall be applied to the payment of the interest and principal of the bonds hereby authorized.

Payment of loan.

SECTION 2. This act shall take effect upon its passage.

Approved January 14, 1913.

Chap. 4 AN ACT MAKING APPROPRIATIONS FOR SALARIES AND EXPENSES IN THE EXECUTIVE DEPARTMENT OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

Appropriations.

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, for salaries and expenses in the executive department, for the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen, to wit: —

Governor. For the salary of the governor, eight thousand dollars.

Lieutenant governor and council. Travelling expenses. For the salary of the lieutenant governor, two thousand dollars; and for salaries of the council, eight thousand dollars. For travelling expenses of the council, a sum not exceeding one thousand dollars.

Private secretary. For the salary of the private secretary of the governor, twenty-five hundred dollars.

Executive secretary. For the salary of the executive secretary, twenty-five hundred dollars.

Stenographer. For the salary of the present stenographer, a sum not exceeding eighteen hundred dollars.

Clerk. For the salary of the clerk, a sum not exceeding twelve hundred dollars.

Messenger. For the salary of the messenger, twelve hundred dollars.

For the salary of the assistant messenger, one thousand dollars. Assistant messenger.

For contingent expenses, a sum not exceeding three thousand dollars. Contingent expenses.

For postage, printing and stationery, a sum not exceeding twelve hundred dollars. Postage, printing, etc.

For travelling and contingent expenses of the governor and council, a sum not exceeding twenty-five hundred dollars. Travelling expenses, etc.

For postage, printing and stationery for the council, a sum not exceeding five hundred dollars. Council postage, etc.

For payment of extraordinary expenses, to be expended under the direction of the governor and council, a sum not exceeding one hundred thousand dollars. Extraordinary expenses.

For the preparation of tables and indexes relating to the statutes of the present year and previous years, a sum not exceeding six hundred dollars. Tables and indexes to statutes.

For expenses incurred in the arrest of fugitives from justice, a sum not exceeding one thousand dollars. Arrest of fugitives.

Section 2. This act shall take effect upon its passage.

Approved January 22, 1913.

An Act making appropriations for salaries and expenses in the department of the treasurer and receiver general. *Chap.* 5

Be it enacted, etc., as follows:

Section 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, for the department of the treasurer and receiver general, for the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen, to wit: — Appropriations.

For the salary of the treasurer and receiver general, five thousand dollars. Treasurer and receiver general.

For the salary of the first clerk, twenty-six hundred dollars. First clerk.

For the salary of the second clerk, twenty-one hundred dollars. Second clerk.

For the salary of the third clerk, eighteen hundred dollars. Third clerk.

For the salary of the receiving teller, eighteen hundred dollars. Receiving teller.

For the salary of the paying teller, eighteen hundred dollars. Paying teller.

Assistant paying teller. For the salary of the assistant paying teller, twelve hundred dollars.

Cashier. For the salary of the cashier, twenty-two hundred dollars.

Assistant bookkeeper. For the salary of the assistant bookkeeper, fifteen hundred dollars.

Fund clerk. For the salary of the fund clerk, fifteen hundred dollars.

Additional clerk, etc. For the salary of an additional clerk and bank messenger, fifteen hundred dollars.

Warrant clerk. For the salary of the warrant clerk, twelve hundred dollars.

Record clerk. For the salary of the record clerk, one thousand dollars.

Stenographer. For the salary of the stenographer, twelve hundred dollars.

Messenger. For the salary of the messenger, one thousand dollars.

Clerical assistance. For such additional clerical assistance as may be necessary for the despatch of public business, a sum not exceeding forty-five hundred dollars.

Incidental expenses, etc. For incidental and contingent expenses, a sum not exceeding five thousand dollars.

Additional expenses. For such expenses as the treasurer and receiver general may find necessary in carrying out the provisions of the act imposing a tax on collateral legacies and successions, a sum not exceeding five hundred dollars.

SECTION 2. This act shall take effect upon its passage.

Approved January 22, 1913.

Chap. 6 AN ACT MAKING APPROPRIATIONS FOR SALARIES AND EXPENSES IN THE DEPARTMENT OF THE AUDITOR OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

Appropriations. SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, for the auditor's department, for the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen, to wit: —

Auditor. For the salary of the auditor, five thousand dollars.

Deputy auditor. For the salary of the deputy auditor, four thousand dollars.

Second deputy auditor. For the salary of the second deputy auditor, twenty-five hundred dollars.

Supervisor of accounts. For the salary of the supervisor of accounts, twenty-five hundred dollars.

For the salary of the first clerk, twenty-five hundred dollars. First clerk.

For the salary of the second clerk, twenty-four hundred dollars. Second clerk.

For additional clerks, examiners and stenographers, a sum not exceeding fourteen thousand dollars. Additional clerks, etc.

For the salary of the messenger, nine hundred dollars. Messenger.

For the salary of the state printing expert, a sum not exceeding fifteen hundred dollars. Printing expert.

For incidental and contingent expenses, a sum not exceeding forty-five hundred dollars. Expenses.

Section 2. This act shall take effect upon its passage.

Approved January 22, 1913.

An Act making appropriations for the board of registration in pharmacy. *Chap.* 7

Be it enacted, etc., as follows:

Section 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, for the salaries and expenses of the board of registration in pharmacy, for the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen, to wit: — Appropriations, board of registration in pharmacy.

For the salaries of the members, thirty-one hundred dollars. Salaries.

For travelling and other expenses of the members, a sum not exceeding seventeen hundred and twenty-five dollars. Travelling expenses, etc.

For salaries and expenses of the agent, a sum not exceeding twenty-four hundred dollars. Agent.

For a stenographer, witness fees and incidental and contingent expenses, to include printing the annual report, a sum not exceeding two thousand dollars. Stenographer, etc.

Section 2. This act shall take effect upon its passage.

Approved January 22, 1913.

An Act making appropriations for the board of registration in veterinary medicine. *Chap.* 8

Be it enacted, etc., as follows:

Section 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, for the salaries and expenses of Appropriations, board of registration in veterinary medicine.

the board of registration in veterinary medicine, for the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen, to wit: —

Salaries. For the salaries of the members, a sum not exceeding six hundred dollars.

Expenses. For travelling and other expenses, a sum not exceeding five hundred dollars.

SECTION 2. This act shall take effect upon its passage.

Approved January 22, 1913.

Chap. 9 AN ACT MAKING APPROPRIATIONS FOR THE BOARD OF REGISTRATION IN MEDICINE.

Be it enacted, etc., as follows:

Appropriations, board of registration in medicine. SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, for the salaries and expenses of the board of registration in medicine, for the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen, to wit: —

Salaries. For the salaries of the members of the board, forty-three hundred dollars.

Expenses. For travelling and other expenses of the board, a sum not exceeding four hundred and fifty dollars.

Clerk. For the clerk of the board, the sum of eight hundred dollars.

Printing, postage, etc. For printing, postage, office supplies and contingent expenses of the members of the board, to include printing the annual report, a sum not exceeding eight hundred dollars.

SECTION 2. This act shall take effect upon its passage.

Approved January 23, 1913.

Chap. 10 AN ACT MAKING AN APPROPRIATION FOR THE MASSACHUSETTS INSTITUTE OF TECHNOLOGY.

Be it enacted, etc., as follows:

Massachusetts Institute of Technology. SECTION 1. The sum of one hundred thousand dollars is hereby appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, to the Massachusetts Institute of Technology.

SECTION 2. This act shall take effect upon its passage.

Approved January 23, 1913.

An Act making an appropriation for the Worcester Polytechnic Institute. *Chap.* 11

Be it enacted, etc., as follows:

Worcester Polytechnic Institute.

Section 1. The sum of fifty thousand dollars is hereby appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, to the Worcester Polytechnic Institute, as provided for by chapter eighty-seven of the resolves of the year nineteen hundred and twelve.

Section 2. This act shall take effect upon its passage.

Approved January 23, 1913.

An Act making an appropriation for the Massachusetts State Firemen's Association. *Chap.* 12

Be it enacted, etc., as follows:

Massachusetts State Firemen's Association.

Section 1. The sum of fifteen thousand dollars is hereby appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, for the Massachusetts State Firemen's Association, as provided by chapter one hundred and seventy-one of the acts of the year nineteen hundred and six.

Section 2. This act shall take effect upon its passage.

Approved January 27, 1913.

An Act making an appropriation for the payment of claims arising from the death of firemen killed or injured in the discharge of their duties. *Chap.* 13

Be it enacted, etc., as follows:

Claims on account of death of firemen.

Section 1. The sum of ten thousand dollars is hereby appropriated, to be paid out of the treasury of the commonwealth as authorized by section seventy-seven of chapter thirty-two of the Revised Laws, for the payment of such claims as may arise in consequence of the death of firemen belonging to the regular organized fire department of a city or town, or of members in active service of any incorporated protective department acting in concert with fire departments, or of any person doing duty at the request of or by order of the authorities of a town which has no organized fire department, who are killed or who die from injuries received while in the discharge of their duties at

fires, during the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen.

SECTION 2. This act shall take effect upon its passage.

Approved January 27, 1913.

Chap. 14 AN ACT MAKING AN APPROPRIATION FOR THE MAINTENANCE OF THE OLD PROVINCIAL STATE HOUSE IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

Provincial state house.

SECTION 1. The sum of fifteen hundred dollars is hereby appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, toward the maintenance of the old provincial state house in the city of Boston, during the present fiscal year, as provided for by chapter two hundred and ninety-eight of the acts of the year nineteen hundred and ten.

SECTION 2. This act shall take effect upon its passage.

Approved January 27, 1913.

Chap. 15 AN ACT MAKING APPROPRIATIONS FOR SALARIES AND EXPENSES IN THE DEPARTMENT OF THE ATTORNEY-GENERAL.

Be it enacted, etc., as follows:

Appropriations.

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, for the attorney-general, for the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen, to wit: —

Attorney-general, salary.

For the salary of the attorney-general, seven thousand dollars.

Assistants, etc.

For the compensation of assistants in his office, and for such additional legal assistance as may be deemed necessary, and also for any other necessary expenses, a sum not exceeding fifty thousand dollars.

SECTION 2. This act shall take effect upon its passage.

Approved January 28, 1913.

Chap. 16 AN ACT MAKING AN APPROPRIATION FOR THE PAYMENT OF PREMIUMS ON SECURITIES PURCHASED FOR THE MASSACHUSETTS SCHOOL FUND.

Be it enacted, etc., as follows:

Premiums on securities purchased for the Massa-

SECTION 1. A sum not exceeding one thousand dollars is hereby appropriated, to be paid out of the treasury of the

commonwealth from the ordinary revenue, for the payment by the treasurer and receiver general of premiums on securities purchased for the Massachusetts School Fund, as provided for by section three of chapter forty-one of the Revised Laws. chusetts School Fund.

Section 2. This act shall take effect upon its passage.

Approved January 28, 1913.

An Act making appropriations for the salaries and expenses of the land court. *Chap.* 17

Be it enacted, etc., as follows:

Section 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, for the land court, for the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen, to wit: — Appropriations, land court.

For the salary of the judge of the court, six thousand dollars. Judge.

For the salary of the associate judge of the court, six thousand dollars. Associate judge.

For the salary of the recorder of the court, forty-five hundred dollars. Recorder.

For clerical assistance in the office of the court, a sum not exceeding eleven thousand and twenty dollars. Clerical assistance.

For sheriffs' fees, advertising, surveying, examination of titles and sundry incidental expenses of the court, a sum not exceeding thirty thousand dollars. Expenses.

Section 2. This act shall take effect upon its passage.

Approved January 28, 1913.

An Act to authorize the city of Boston to pay an annuity to the widow of Leroy James. *Chap.* 18

Be it enacted, etc., as follows:

Section 1. The city of Boston is hereby authorized to pay an annuity of not more than three hundred dollars to Josephine James, widow of Leroy James, so long as she remains unmarried. The said Leroy James, while in the discharge of his duties as a member of the fire department of the said city received injuries and contracted a disease, which resulted in his death. The fire commissioner may from time to time order the said annuity to be reduced. City of Boston may pay an annuity to widow of Leroy James.

Time of taking effect.

SECTION 2. This act shall take effect as of June twenty-fourth, nineteen hundred and twelve, upon its acceptance by the city council of the city of Boston with the approval of the mayor and the fire commissioner.

Approved January 28, 1913.

Chap. 19 AN ACT MAKING APPROPRIATIONS FOR SALARIES AND EXPENSES IN THE DEPARTMENT OF THE SERGEANT-AT-ARMS.

Be it enacted, etc., as follows:

Appropriations, sergeant-at-arms, department.

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, for the salaries and expenses in the department of the sergeant-at-arms, for the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen, to wit: —

Sergeant-at-arms.

For the salary of the sergeant-at-arms, thirty-five hundred dollars.

First clerk.

For the salary of the first clerk, twenty-two hundred dollars.

Cashier.

For the salary of the cashier, a sum not exceeding twelve hundred dollars.

Additional clerks.

For the salaries of additional clerks, the sum of twenty-eight hundred dollars.

Expenses.

For incidental and contingent expenses and the expense of mailing legislative bulletins, a sum not exceeding five hundred and fifty dollars.

Chief engineer, etc.

For the salaries of the chief engineer and other employees in the engineer's department, a sum not exceeding thirty-three thousand five hundred and forty dollars.

Watchmen, etc.

For the salaries of the watchmen and assistant watchmen, a sum not exceeding fourteen thousand six hundred dollars.

Books, stationery, etc.

For books, stationery, postage, printing and advertising ordered by the sergeant-at-arms, a sum not exceeding three hundred dollars.

Messengers, etc.

For the salaries of the messengers, porters and office boy, a sum not exceeding eighty-two hundred and sixty dollars.

Rent, etc., of telephones.

For rent of telephones and expenses in connection therewith, a sum not exceeding eleven thousand four hundred and fifty dollars.

Heat, light and power, etc.

For heat, light and power, including coal, water, gas and removal of ashes, a sum not exceeding thirty-five thousand dollars.

For the care of the state house and grounds, including repairs, furniture and repairs thereof, and such expenses as may be necessary at the various buildings now occupied by state departments, a sum not exceeding twenty-six thousand dollars. Care of state house, etc.

For new furniture and fixtures, a sum not exceeding twelve thousand dollars. New furniture, etc.

For the salary of the matron, a sum not exceeding eight hundred and fifty dollars. Matron.

For the salary of the carpenter, the sum of sixteen hundred dollars. Carpenter.

Section 2. This act shall take effect upon its passage.

Approved January 28, 1913.

An Act relative to the expenditures of the commissioner of public safety in the city of Cambridge. *Chap.* 20

Be it enacted, etc., as follows:

Section 1. Section four of chapter six hundred and eleven of the acts of the year nineteen hundred and twelve is hereby amended by inserting after the word "dollars", in the eighth line, the words: — and twenty-five cents, — so as to read as follows: — *Section 4.* The commissioner shall have authority to determine the number of and to appoint the members and clerk of the department of public safety and to fix their compensation, organize and administer the said department, and to purchase equipment and supplies; and the city shall provide for all payments for the same, provided the expenses of said department shall not in any one year exceed a sum amounting to more than three dollars and twenty-five cents on each one thousand dollars of taxable property in said city, to be estimated by taking the average amount of taxable property during the three preceding years. All expenditures of money shall be subject to the approval of the mayor. 1912, 611, § 4, amended. Authority of commissioner.

Section 2. This act shall take effect upon its passage.

Approved January 28, 1913.

An Act making an appropriation for the acquisition of land for the Boston state hospital. *Chap.* 21

Be it enacted, etc., as follows:

Section 1. A sum not exceeding one hundred and fifty thousand dollars is hereby appropriated, to be paid out of Acquisition of land for Boston state hospital.

the treasury of the commonwealth from the ordinary revenue, to be expended under the direction of the state board of insanity, in payment for land taken by right of eminent domain for the use of the Boston state hospital under authority of chapter five hundred and thirty-five of the acts of the year nineteen hundred and nine, and for other expenses necessarily incurred in carrying out the provisions of said chapter, the same to be in addition to the amount heretofore appropriated for this purpose.

SECTION 2. This act shall take effect upon its passage.

Approved January 29, 1913.

Chap. 22 AN ACT TO INCREASE THE POWERS OF THE TRUSTEES OF THE MEMORIAL HOSPITAL.

Be it enacted, etc., as follows:

The Trustees of the Memorial Hospital in Worcester may receive, hold, etc., real and personal estate.

SECTION 1. The Trustees of the Memorial Hospital, a corporation established in Worcester by chapter eighty-seven of the acts of the year eighteen hundred and seventy-one, may receive by gift, devise, bequest or otherwise, and may hold and use for the purpose for which it was incorporated real and personal estate to an amount not exceeding three million dollars.

SECTION 2. This act shall take effect upon its passage.

Approved January 29, 1913.

Chap. 23 AN ACT TO AUTHORIZE THE CITY OF BOSTON TO PAY A SUM OF MONEY TO THOMAS THORNTON.

Be it enacted, etc., as follows:

The City of Boston may pay a sum of money to Thomas Thornton.

SECTION 1. The city of Boston, by vote of the city council, approved by the mayor, is hereby authorized to pay a sum not exceeding three thousand dollars to Thomas Thornton who was injured while in the performance of his duties as an employee of the park department of the city.

SECTION 2. This act shall take effect upon its passage.

Approved January 29, 1913.

Chap. 24 AN ACT MAKING APPROPRIATIONS FOR SALARIES AND EXPENSES IN THE JUDICIAL DEPARTMENT OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

Appropriations.

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the commonwealth

from the ordinary revenue, for the salaries and expenses of the judicial department of the commonwealth, for the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen, to wit: —

SUPREME JUDICIAL COURT.

For the salaries and travelling expenses of the chief justice and of the six associate justices, seventy-four thousand dollars. Chief justice and associate justices.

For the salary of the clerk, three thousand dollars. Clerk.

For clerical assistance to the clerk, eight hundred dollars. Clerical assistance to clerk.

For clerical assistance to the justices, a sum not exceeding twenty-five hundred dollars. Clerical assistance to justices.

For expenses of the supreme judicial court, a sum not exceeding two thousand dollars. Expenses.

For the salary of the reporter of decisions, four thousand dollars; and for clerk hire and incidental expenses of the reporter, a sum not exceeding five thousand dollars. Reporter of decisions, etc.

For the salaries of the officers and messenger, twenty-four hundred dollars. Officers and messenger.

For the salary of the clerk for the county of Suffolk, fifteen hundred dollars. Clerk, Suffolk county.

For the salary of the assistant clerk for the county of Suffolk, five hundred dollars. Assistant clerk, Suffolk county.

For the salaries of the retired justices, thirteen thousand one hundred and twenty-five dollars. Retired justices.

SUPERIOR COURT.

For the salaries and travelling expenses of the chief justice and of the twenty-seven associate justices, two hundred thirty-eight thousand five hundred dollars. Superior court, justices.

For the salary of the assistant clerk, five hundred dollars. Assistant clerk.

For printing, transportation of papers and documents, and for incidental expenses of the superior court, a sum not exceeding four hundred dollars. Printing, etc.

For the salary of the retired justice of the superior court, six thousand dollars. Retired justice.

COURTS OF PROBATE AND INSOLVENCY.

For the salary of the judge for the county of Barnstable, eighteen hundred dollars. Judge of probate and insolvency, Barnstable.

For the salary of the judge for the county of Berkshire, twenty-five hundred dollars. Berkshire.

Bristol. For the salary of the judge for the county of Bristol, forty-five hundred dollars.

Dukes County. For the salary of the judge for the county of Dukes County, one thousand dollars.

Essex. For the salaries of the two judges for the county of Essex, eight thousand dollars.

Franklin. For the salary of the judge for the county of Franklin, eighteen hundred dollars.

Hampden. For the salary of the judge for the county of Hampden, thirty-eight hundred dollars.

Hampshire. For the salary of the judge for the county of Hampshire, eighteen hundred dollars.

Middlesex. For the salaries of the two judges for the county of Middlesex, twelve thousand dollars.

Nantucket. For the salary of the judge for the county of Nantucket, one thousand dollars.

Norfolk. For the salary of the judge for the county of Norfolk, five thousand dollars.

Plymouth. For the salary of the judge for the county of Plymouth, twenty-seven hundred dollars.

Suffolk. For the salaries of the two judges for the county of Suffolk, fourteen thousand dollars.

Worcester. For the salaries of the two judges for the county of Worcester, nine thousand dollars.

Retired judges. For the salaries of retired judges, a sum not exceeding five hundred dollars.

Judges acting in other counties. For the compensation of judges acting in counties other than their own, a sum not exceeding fifteen hundred dollars.

Register of probate and insolvency, Barnstable. For the salary of the register for the county of Barnstable, sixteen hundred dollars.

Berkshire. For the salary of the register for the county of Berkshire, nineteen hundred dollars.

Bristol. For the salary of the register for the county of Bristol, thirty-five hundred dollars.

Dukes County. For the salary of the register for the county of Dukes County, nine hundred dollars.

Essex. For the salary of the register for the county of Essex, thirty-five hundred dollars.

Franklin. For the salary of the register for the county of Franklin, sixteen hundred dollars.

Hampden. For the salary of the register for the county of Hampden, thirty-one hundred dollars.

Hampshire. For the salary of the register for the county of Hampshire, sixteen hundred dollars.

For the salary of the register for the county of Middlesex, five thousand dollars. Middlesex.

For the salary of the register for the county of Nantucket, nine hundred dollars. Nantucket.

For the salary of the register for the county of Norfolk, twenty-seven hundred dollars. Norfolk.

For the salary of the register for the county of Plymouth, twenty-two hundred dollars. Plymouth.

For the salary of the register for the county of Suffolk, five thousand dollars. Suffolk.

For the salary of the register for the county of Worcester, thirty-five hundred dollars. Worcester.

For the salary of the assistant register for the county of Barnstable, five hundred and fifty dollars. Assistant register, Barnstable.

For the salary of the assistant register for the county of Berkshire, nine hundred and fifty dollars. Berkshire.

For the salary of the assistant register for the county of Bristol, twenty-three hundred dollars. Bristol.

For the salaries of the assistant registers for the county of Essex, forty-one hundred dollars. Essex.

For the salary of the assistant register for the county of Franklin, six hundred dollars. Franklin.

For the salary of the assistant register for the county of Hampden, fifteen hundred and fifty dollars. Hampden.

For the salary of the assistant register for the county of Hampshire, seven hundred dollars. Hampshire.

For the salaries of the assistant registers for the county of Middlesex, seven thousand dollars. Middlesex.

For the salary of Joseph R. McCoole, assistant register for the county of Norfolk, sixteen hundred and fifty dollars. Norfolk.

For the salary of the assistant register for the county of Plymouth, eleven hundred dollars. Plymouth.

For the salary of the assistant register for the county of Suffolk, twenty-eight hundred dollars. Suffolk.

For the salary of the second assistant register for the county of Suffolk, twenty-eight hundred dollars. Second assistant.

For the salary of the assistant register for the county of Worcester, thirty-five hundred dollars. Worcester.

For extra clerical assistance to the register for the county of Barnstable, a sum not exceeding four hundred thirty-three dollars and thirty-four cents. Clerical assistance, Barnstable.

For extra clerical assistance to the register for the county of Berkshire, a sum not exceeding six hundred dollars. Berkshire.

Bristol. For extra clerical assistance to the register for the county of Bristol, a sum not exceeding forty-five hundred sixty-six dollars and sixty-seven cents.

Dukes County. For extra clerical assistance to the register for the county of Dukes County, a sum not exceeding two hundred sixty-six dollars and sixty-seven cents.

Essex. For extra clerical assistance to the register for the county of Essex, a sum not exceeding seven thousand sixteen dollars and sixty-seven cents.

Franklin. For extra clerical assistance to the register for the county of Franklin, a sum not exceeding four hundred dollars.

Hampden. For extra clerical assistance to the register for the county of Hampden, a sum not exceeding twenty-seven hundred thirty-three dollars and thirty-three cents.

Hampshire. For extra clerical assistance to the register for the county of Hampshire, a sum not exceeding six hundred dollars.

Middlesex. For extra clerical assistance to the register for the county of Middlesex, a sum not exceeding seventy-three hundred thirty-three dollars and thirty-three cents.

Nantucket. For extra clerical assistance to the register for the county of Nantucket, a sum not exceeding three hundred dollars.

Norfolk. For extra clerical assistance to the register for the county of Norfolk, a sum not exceeding two thousand thirty-three dollars and thirty-three cents.

Plymouth. For extra clerical assistance to the register for the county of Plymouth, a sum not exceeding twenty-one hundred dollars.

Suffolk. For extra clerical assistance to the register for the county of Suffolk, a sum not exceeding seventy-one hundred dollars.

Worcester. For extra clerical assistance to the register for the county of Worcester, a sum not exceeding seven thousand sixteen dollars and sixty-six cents.

Clerk of register, Suffolk. For the salary of the clerk of the register for the county of Suffolk, twelve hundred dollars.

DISTRICT ATTORNEYS.

District attorney, Suffolk district. For the salary of the district attorney for the Suffolk district, seven thousand dollars.

Assistants. For the salaries of the first, second and third assistant district attorneys for the Suffolk district, eleven thousand four hundred dollars.

Deputy assistants. For the salaries of the deputy assistants of the district attorney for the Suffolk district, thirty-six hundred dollars.

For the salary of the district attorney for the northern district, four thousand dollars. Northern district.

For the salaries of the assistant district attorneys for the northern district, thirty-eight hundred dollars. Assistants.

For the salary of the district attorney for the eastern district, three thousand dollars. Eastern district.

For the salary of the assistant district attorney for the eastern district, two thousand dollars. Assistant.

For the salary of the district attorney for the southeastern district, twenty-four hundred dollars. Southeastern district.

For the salary of the assistant district attorney for the southeastern district, sixteen hundred dollars. Assistant.

For the salary of the district attorney for the southern district, twenty-four hundred dollars. Southern district.

For the salary of the assistant district attorney for the southern district, sixteen hundred dollars. Assistant.

For the salary of the district attorney for the middle district, twenty-four hundred dollars. Middle district.

For the salary of the assistant district attorney for the middle district, sixteen hundred dollars. Assistant.

For the salary of the district attorney for the western district, twenty-four hundred dollars. Western district.

For the salary of the district attorney for the northwestern district, thirteen hundred and fifty dollars. Northwestern district.

For travelling expenses necessarily incurred by the district attorneys, except in the Suffolk district, a sum not exceeding fifteen hundred dollars. Travelling expenses.

COMMISSION ON PROBATION.

For expenses of the commission on probation, a sum not exceeding five thousand dollars. Commission on probation.

SECTION 2. This act shall take effect upon its passage.

Approved January 29, 1913.

AN ACT MAKING APPROPRIATIONS FOR SALARIES AND EXPENSES IN THE DEPARTMENT OF THE BANK COMMISSIONER. *Chap.* 25

Be it enacted, etc., as follows:

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, for the department of the bank commissioner, for the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen, to wit: — Appropriations.

Bank commissioner.

For the salary of the commissioner, the sum of five thousand dollars.

Deputy.

For the salary of the deputy, the sum of thirty-five hundred dollars.

Examiners, clerks, etc.

For the salaries of examiners, clerks, experts and other assistants, a sum not exceeding seventy-five thousand dollars.

Printing, stationery, etc.

For printing, stationery, office supplies, travelling and other expenses, a sum not exceeding thirty thousand dollars.

Annual reports.

For printing and binding the annual reports, a sum not exceeding fifty-five hundred dollars.

SECTION 2. This act shall take effect upon its passage.

Approved January 29, 1913.

Chap. 26 AN ACT MAKING AN APPROPRIATION FOR THE REIMBURSEMENT OF CITIES AND TOWNS FOR LOSS OF TAXES ON LAND USED FOR PUBLIC INSTITUTIONS.

Be it enacted, etc., as follows:

Reimbursement of cities and towns for loss of taxes.

SECTION 1. The sum of thirty-eight thousand dollars is hereby appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, for the purpose of reimbursing cities and towns for loss of taxes on land used for public institutions, during the fiscal year ending November thirtieth, nineteen hundred and thirteen, as provided for by chapter six hundred and seven of the acts of the year nineteen hundred and ten and chapter four hundred and seventy-eight of the acts of the year nineteen hundred and eleven.

SECTION 2. This act shall take effect upon its passage.

Approved January 29, 1913.

Chap. 27 AN ACT MAKING APPROPRIATIONS FOR SALARIES AND EXPENSES IN THE OFFICE OF THE CONTROLLER OF COUNTY ACCOUNTS.

Be it enacted, etc., as follows:

Appropriations.

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, for the controller of county accounts, for the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen, to wit: —

For the salary of the controller, twenty-five hundred dollars. Controller of county accounts.

For the salary of the first deputy, eighteen hundred dollars. First deputy.

For the salary of the second deputy, fifteen hundred dollars. Second deputy.

For the salary of the third deputy, fifteen hundred dollars. Third deputy.

For travelling and office expenses of the controller and his deputies, including printing and binding the annual report, a sum not exceeding twenty-one hundred dollars. Expenses.

SECTION 2. This act shall take effect upon its passage.

Approved January 29, 1913.

AN ACT MAKING APPROPRIATIONS FOR PURCHASING PAPER, PRINTING AND BINDING PUBLIC DOCUMENTS, PRINTING AND DISTRIBUTING BALLOTS AND FOR OTHER PURPOSES. *Chap.* 28

Be it enacted, etc., as follows:

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, for the purposes specified, for the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen, to wit: — Appropriations.

For printing and binding public documents, a sum not exceeding twenty-four thousand dollars. Public documents.

For printing the pamphlet edition of the acts and resolves of the present year, a sum not exceeding seventy-five hundred dollars. Pamphlet edition of acts, etc.

For printing and binding the blue book edition of the acts and resolves of the present year, twelve thousand dollars. Blue book.

For the newspaper publication of the general laws and information intended for the public, a sum not exceeding five hundred dollars. Publication of laws.

For reports of decisions of the supreme judicial court, a sum not exceeding two thousand dollars. Reports of decisions, etc.

For the purchase of paper used in the execution of the contract for the state printing, a sum not exceeding sixty thousand dollars. Purchase of paper.

For registration books and blanks, indexing returns and editing registration report, a sum not exceeding three thousand dollars. Registration books, etc.

For printing and distributing ballots, a sum not exceeding ten thousand dollars. Printing, etc., ballots.

Primary elections.

For expenses in connection with primary elections, a sum not exceeding thirty thousand dollars.

Blanks for town officers, etc.

For blanks for town officers, election laws and blanks and instructions on all matters relating to elections, and for the expense of advertising the state ticket, a sum not exceeding five thousand dollars.

SECTION 2. This act shall take effect upon its passage.

Approved January 29, 1913.

Chap. 29 AN ACT MAKING APPROPRIATIONS FOR THE COMPENSATION AND EXPENSES OF THE BALLOT LAW COMMISSION.

Be it enacted, etc., as follows:

Appropriations.

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, for the ballot law commission, for the year ending on the thirtieth day of November, nineteen hundred and thirteen, to wit: —

Ballot law commissioners.

For compensation of the commissioners, a sum not exceeding fifteen hundred dollars.

Expenses.

For expenses, a sum not exceeding five hundred dollars.

SECTION 2. This act shall take effect upon its passage.

Approved January 29, 1913.

Chap. 30 AN ACT MAKING APPROPRIATIONS FOR THE BOARD OF REGISTRATION IN DENTISTRY.

Be it enacted, etc., as follows:

Appropriations, board of registration in dentistry.

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, for the salaries and expenses of the board of registration in dentistry, for the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen, to wit: —

Salaries of members.

For the salaries of the members, seventeen hundred dollars.

Expenses.

For clerical services, postage, printing, travelling and other necessary expenses, to include printing the annual report, a sum not exceeding twenty-two hundred dollars.

SECTION 2. This act shall take effect upon its passage.

Approved January 29, 1913.

An Act making appropriations for the salaries and expenses of the state board of conciliation and arbitration. *Chap.* 31

Be it enacted, etc., as follows:

Section 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, for the salaries and expenses of the state board of conciliation and arbitration, for the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen, to wit: — Appropriations, board of conciliation and arbitration.

For the salaries of the members, seventy-five hundred dollars. Salaries of members.

For the salary of the secretary, fifteen hundred dollars. Secretary.

For travelling, incidental and contingent expenses, including printing and binding the annual report and the compensation of expert assistants, a sum not exceeding fifteen thousand dollars. Expenses.

Section 2. This act shall take effect upon its passage.

Approved January 29, 1913.

An Act relative to the village cemetery in the town of Falmouth. *Chap.* 32

Be it enacted, etc., as follows:

Section 1. Chapter two hundred and sixty-two of the acts of the year nineteen hundred and four is hereby amended by striking out at the end of section one, the words "Nothing herein shall affect the rights of any person holding title to the said village cemetery or to any part thereof", and also by inserting after section one the following new sections: — 1904, 262, § 1 amended, and new sections added.

Section 2. The said corporation is authorized to direct and control all interments in the said cemetery; to grant the exclusive right of burial in any lot therein under such pecuniary conditions and other regulations as may seem to be for the best interests of the cemetery; to receive and collect funds, and to expend the same, for the general purposes of the cemetery; to receive and collect funds for the perpetual care of the grounds or any part thereof, and to hold and invest the same, and to expend the income thereof for the purposes specified; and to do all other things which may be necessary or expedient for the care and improvement Powers and duties of corporation.

Authority not to extend to removal, etc., of bodies.

of the said tract of land or any part thereof. *Section 3.* The authority conferred by this act shall not extend to the removal or disturbance of any body interred within the said cemetery.

SECTION 2. This act shall take effect upon its passage.

Approved January 29, 1913.

Chap. 33 AN ACT MAKING APPROPRIATIONS FOR SALARIES AND EXPENSES IN THE DEPARTMENT OF THE SECRETARY OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

Appropriations.

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, for the department of the secretary of the commonwealth, for the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen, to wit: —

Secretary of the commonwealth.

For the salary of the secretary of the commonwealth, five thousand dollars.

First deputy.

For the salary of the first deputy, three thousand dollars.

Deputy.

For the salary of Herbert H. Boynton, deputy, three thousand dollars.

Corporation clerk.

For the salary of the present corporation clerk, two thousand dollars.

Chief of archives.

For the salary of the chief of the archives division, two thousand dollars.

Commission clerk.

For the salary of the commission clerk, fifteen hundred dollars.

Cashier.

For the salary of the cashier, a sum not exceeding twelve hundred dollars.

Clerical assistance, etc.

For messengers and additional clerical assistance, a sum not exceeding thirty-three thousand five hundred and fifty dollars.

Expenses.

For incidental and contingent expenses, a sum not exceeding five thousand dollars.

Preservation of records, etc.

For the arrangement and preservation of state records and papers, a sum not exceeding one thousand dollars.

Postage, etc.

For postage and expressage on documents, and for printing and mailing copies of bills and resolves to certain state, city and town officials, a sum not exceeding fifty-five hundred dollars.

For furnishing cities and towns with ballot boxes and for repairs to the same, a sum not exceeding one thousand dollars. Ballot boxes, etc.

For the purchase of apparatus to be used at polling places in the canvass and count of votes, a sum not exceeding two hundred and fifty dollars. Counting apparatus.

For the purchase of histories of regiments, batteries and other military organizations of the Massachusetts volunteers who served in the civil war, a sum not exceeding one thousand dollars. Regimental histories.

For the preservation of town records of births, marriages and deaths previous to the year eighteen hundred and fifty, a sum not exceeding fifteen thousand dollars. Town records of births, etc.

Section 2. This act shall take effect upon its passage.

Approved January 29, 1913.

An Act making appropriations for salaries and expenses in the department of the insurance commissioner. *Chap.* 34

Be it enacted, etc., as follows:

Section 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, for the insurance department, for the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen, to wit: — Appropriations.

For the salary of the commissioner, five thousand dollars. Insurance commissioner.

For the salary of the deputy commissioner, thirty-five hundred dollars. Deputy commissioner.

For the salary of the examiner, three thousand dollars. Examiner.

For the salary of an additional examiner, twenty-five hundred dollars. Additional examiner.

For the salary of the actuary, twenty-five hundred dollars. Actuary.

For the salary of the assistant actuary, two thousand dollars. Assistant actuary.

For the salary of the chief clerk, twenty-five hundred dollars. Chief clerk.

For additional clerks and assistants, a sum not exceeding fifty-one thousand six hundred dollars. Additional clerks, etc.

For incidental and contingent expenses, including rent of rooms outside the state house, a sum not exceeding thirteen thousand dollars. Expenses.

Annual report. For printing and binding the annual report, a sum not exceeding sixty-five hundred dollars.

SECTION 2. This act shall take effect upon its passage.

Approved January 29, 1913.

Chap. 35 AN ACT MAKING APPROPRIATIONS FOR THE SALARIES AND EXPENSES OF THE MASSACHUSETTS HIGHWAY COMMISSION.

Be it enacted, etc., as follows:

Appropriations, highway commission. SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, for the salaries and expenses of the Massachusetts highway commission, for the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen, to wit: —

Salaries of commissioners. For the salaries of the commissioners, the sum of eighty-five hundred dollars.

Engineers, etc. For the salaries of the engineers, clerks and assistants, a sum not exceeding twenty-five thousand dollars.

Expenses. For travelling and other expenses of the commission, a sum not exceeding four thousand dollars.

Postage, printing, etc. For postage, printing and other necessary office expenses, including printing and binding the annual report, a sum not exceeding seventy-five hundred dollars.

Rent of offices. For rent of offices, a sum not exceeding sixty-five hundred dollars.

Road-building machinery. For care and repair of road-building machinery, a sum not exceeding ten thousand dollars.

State highways. For the maintenance of state highways, for the present year and for previous years, the sum of two hundred thousand dollars, the same to be in addition to the amount authorized by section thirty of chapter five hundred and thirty-four of the acts of the year nineteen hundred and nine to be expended from the Motor Vehicle Fees Fund.

Suppression of gypsy and brown tail moths, etc. For the suppression of gypsy and brown tail moths and other insect pests which threaten the trees on state highways, a sum not exceeding ten thousand dollars.

Highway in Truro. For the repair of a certain highway in the town of Truro, a sum not exceeding five hundred dollars.

Maintenance, etc., of certain bridges. For the maintenance and operation of the Newburyport bridge and the Brightman street bridge in Fall River, a sum not exceeding twenty-seven thousand dollars.

SECTION 2. This act shall take effect upon its passage.

Approved January 29, 1913.

An Act making appropriations for the salaries and expenses of the board of harbor and land commissioners. *Chap.* 36

Be it enacted, etc., as follows:

Section 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, for the harbor and land commissioners, for the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen, to wit: — Appropriations, harbor and land commissioners.

For the salaries of the commissioners, eighty-seven hundred dollars. Salaries of commissioners.

For the compensation and expenses of engineers, and for clerical and other assistance, a sum not exceeding thirty-six thousand dollars. Engineers, etc.

For travelling and other necessary expenses, a sum not exceeding seven hundred and fifty dollars. Travelling expenses, etc.

For incidental and contingent office expenses, to include printing and binding the annual report, a sum not exceeding two thousand dollars. Office expenses.

For printing town boundary atlases, a sum not exceeding twenty-five hundred dollars. Printing atlases.

For the improvement and protection of rivers, harbors, tide waters and foreshores, a sum not exceeding one hundred and fifty thousand dollars, in addition to any amount heretofore appropriated. Improvement etc., of rivers, etc.

For surveys of harbors, improving and preserving the same, and repairing damages occasioned by storms along the coast line or river banks of the commonwealth, a sum not exceeding three thousand dollars. Surveys, etc., of harbors, etc.

For removal of wrecks and other obstructions from the tide waters, a sum not exceeding two thousand dollars. Removal of wrecks, etc.

Section 2. This act shall take effect upon its passage.

Approved January 29, 1913.

An Act making appropriations for the compensation and expenses of the civil service commission. *Chap.* 37

Be it enacted, etc., as follows:

Section 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, for the civil service commission, Appropriations, civil service commission.

for the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen, to wit: —

Salaries of commissioners. For the salaries of the commissioners, sixty-five hundred dollars.

Chief examiner. For the salary of the chief examiner, three thousand dollars.

Deputy examiner. For the salary of the deputy examiner, a sum not exceeding twenty-five hundred dollars.

Secretary. For the salary of the secretary, three thousand dollars.

Physical inspector. For the salary of the physical inspector, a sum not exceeding twenty-five hundred dollars.

Pay roll inspector. For the salary of the pay roll inspector, twelve hundred dollars.

Registrar of labor. For the salary of the registrar of labor, two thousand dollars.

Clerical assistance, etc. For clerical assistance and for office, printing, travelling and incidental expenses, advertising and stationery, including printing and binding the annual report, a sum not exceeding thirty-four thousand three hundred dollars.

SECTION 2. This act shall take effect upon its passage.

Approved January 29, 1913.

Chap. 38 AN ACT TO ABOLISH FEES FOR APPROVING BONDS IN BASTARDY CASES.

Be it enacted, etc., as follows:

R. L. 204, § 2, etc., amended. SECTION 1. Section two of chapter two hundred and four of the Revised Laws as amended by section one of chapter three hundred and fifty of the acts of the year nineteen hundred and four, and by chapter one hundred and eighty-six of the acts of the year nineteen hundred and nine, is hereby further amended by striking out the words, "In bastardy cases, — For approving each bond given by the respondent, one dollar", in the thirteenth and fourteenth lines.

R. L. 204, § 5, amended. SECTION 2. Section five of said chapter two hundred and four is hereby amended by striking out the words, "In bastardy cases, — For approving each bond given by the respondent, one dollar", in the thirtieth and thirty-first lines.

Approved January 31, 1913.

An Act to change the name and the purposes of the children's mission to the children of the destitute in the city of Boston. *Chap.* 39

Be it enacted, etc., as follows:

Section 1. The name of The Children's Mission to the Children of the Destitute in the City of Boston, a corporation established under the general laws, is hereby changed to The Children's Mission to Children. Name changed.

Section 2. The purposes of the said corporation shall be to foster in the minds of the young a spirit of Christian sympathy and active benevolence, and to institute such methods in behalf of exposed and otherwise needy children in the city of Boston and its vicinity as will promote their welfare and lead to good citizenship. Purposes.

Section 3. This act shall take effect upon its passage.

Approved January 31, 1913.

An Act making appropriations for the salary and expenses of the commissioner of public records. *Chap.* 40

Be it enacted, etc., as follows:

Section 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, for the commissioner of public records, for the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen, to wit: — Appropriations, commissioner of public records.

For the salary of the commissioner, twenty-five hundred dollars. Salary.

For travelling, clerical and other necessary expenses of the commissioner, including printing the annual report, a sum not exceeding twenty-four hundred and eighty dollars. Expenses.

For the purchase of ink for public records, a sum not exceeding four hundred dollars. Purchase of ink.

Section 2. This act shall take effect upon its passage.

Approved January 31, 1913.

An Act making an appropriation for expenses in connection with the establishment of life insurance departments by savings banks. *Chap.* 41

Be it enacted, etc., as follows:

Section 1. A sum not exceeding fifteen thousand dollars is hereby appropriated, to be paid out of the treasury of the Establishment of life insurance de-

partments by savings banks.

commonwealth from the ordinary revenue, for salaries and expenses in connection with the establishment of life insurance departments by savings banks, for the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen.

SECTION 2. This act shall take effect upon its passage.

Approved January 31, 1913.

Chap. 42 AN ACT MAKING APPROPRIATIONS FOR EXPENSES INCURRED IN THE SUPERVISION OF TELEPHONE AND TELEGRAPH COMPANIES BY THE MASSACHUSETTS HIGHWAY COMMISSION.

Be it enacted, etc., as follows:

Appropriations, supervision of telegraph and telephone companies.

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the Telephone and Telegraph Commissioners' Fund, for the expense of supervision of telephone and telegraph companies by the Massachusetts highway commission, during the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen, to wit: —

Salaries of commissioners.

For the salaries of the commissioners, the sum of forty-five hundred dollars.

Expenses.

For necessary statistics, books, stationery, clerks, travelling and incidental expenses, a sum not exceeding six thousand dollars.

SECTION 2. This act shall take effect upon its passage.

Approved January 31, 1913.

Chap. 43 AN ACT MAKING APPROPRIATIONS FOR EXPENSES IN CONNECTION WITH THE AUDITING OF MUNICIPAL ACCOUNTS AND THE TAKING OF A SUMMER CENSUS BY THE BUREAU OF STATISTICS.

Be it enacted, etc., as follows:

Appropriations, auditing of municipal accounts.

SECTION 1. A sum not exceeding twenty-five thousand dollars is hereby appropriated to meet expenses incurred in the auditing of municipal accounts, the same to be met by assessments upon the municipalities for which the work is done.

Special census.

A sum not exceeding one thousand dollars is hereby appropriated to meet the expenses incurred in taking a special census in towns having an increased resident popula-

tion during the summer months, the same to be met by assessments upon the towns for which the work is done.

Section 2. This act shall take effect upon its passage.

Approved January 31, 1913.

An Act making appropriations for expenses in connection with the retirement system for the employees of the commonwealth. *Chap.* 44

Be it enacted, etc., as follows:

Appropriations, retirement system for employees of the commonwealth.

Section 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, for expenses in connection with the retirement system for certain employees of the commonwealth, for the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen, to wit: —

Expenses.

For the necessary expenses of administration, including clerical services, office rent and office supplies, a sum not exceeding eighty-five hundred dollars.

Funds and pensions.

To provide for the necessary annuity funds and pensions for employees retired from the state service, a sum not exceeding thirty-two thousand dollars.

Section 2. This act shall take effect upon its passage.

Approved January 31, 1913.

An Act making appropriations for the salary and expenses of the supervisor of loan agencies. *Chap.* 45

Be it enacted, etc., as follows:

Appropriations, supervisor of loan agencies.

Section 1. The sums hereinafter mentioned are hereby appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, for salaries and expenses in the office of the supervisor of loan agencies during the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen, to wit: —

Salary.

For the salary of the supervisor, twenty-five hundred dollars.

Clerical assistance, etc.

For clerical assistance, rent and other necessary expenses, a sum not exceeding seventy-five hundred dollars.

Section 2. This act shall take effect upon its passage.

Approved January 31, 1913.

Chap. 46 AN ACT MAKING APPROPRIATIONS FOR THE MASSACHUSETTS AGRICULTURAL COLLEGE.

Be it enacted, etc., as follows:

Appropriations, Massachusetts Agricultural College.

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, for the Massachusetts Agricultural College, for the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen, to wit: —

General administration.

For the general administration of the college, the sum of thirty thousand dollars.

Teaching equipment, maintenance, etc.

For teaching equipment, and for the general maintenance of the college, including heat, light, water and labor, the sum of eighty thousand dollars.

Investigations and experiments.

For agricultural investigations and experiments, including the maintenance of the Massachusetts agricultural experiment station, the sum of fifteen thousand dollars.

Instruction.

For providing the theoretical and practical instruction required by the charter of the college and by the laws of the United States relating thereto, the sum of seventy-five thousand dollars.

Short courses, etc.

For short courses and extension work in agriculture, the sum of fifty thousand dollars.

Travelling expenses, etc.

For travelling and other necessary expenses of the trustees, a sum not exceeding eight hundred dollars.

Reports of trustees.

For printing and binding the reports of the trustees, a sum not exceeding three thousand dollars.

Inspection of feed stuffs.

For the inspection of commercial feed stuffs, six thousand dollars.

Costs of certain prosecutions.

To meet the costs of prosecutions in regulating the use of utensils for testing the composition or value of milk and cream, a sum not exceeding five hundred dollars.

SECTION 2. This act shall take effect upon its passage.

Approved February 3, 1913.

Chap. 47 AN ACT TO CONFER UPON THE CATHEDRAL CHURCH OF SAINT PAUL OF THE DIOCESE OF MASSACHUSETTS CERTAIN POWERS RELATIVE TO THE TOMBS UNDER SAINT PAUL'S CHURCH IN BOSTON.

Be it enacted, etc., as follows:

Certain powers and duties conferred upon

SECTION 1. The powers and duties conferred and imposed upon the proprietors of Saint Paul's Church in Boston

by chapter twenty-eight of the acts of the year eighteen hundred and seventy-nine in respect to the tombs under said church and to the bodies therein are hereby conferred and imposed upon The Cathedral Church of Saint Paul of the Diocese of Massachusetts, which was incorporated by chapter one hundred and seventy-five of the acts of the year nineteen hundred and eight, the said church having been conveyed to the said cathedral corporation. The duties imposed by said chapter twenty-eight upon the wardens and vestry of Saint Paul's Church are hereby imposed upon the chapter of the said cathedral corporation. The Cathedral Church of Saint Paul of the Diocese of Massachusetts.

Section 2. Any owners of tombs or rights shall have the same rights and remedies against The Cathedral Church of Saint Paul of the Diocese of Massachusetts as were conferred upon them by chapter twenty-eight of the acts of the year eighteen hundred and seventy-nine against the proprietors of Saint Paul's Church in the city of Boston. Not to affect rights, etc., of certain persons.

Section 3. This act shall take effect upon its passage.

Approved February 4, 1913.

An Act relative to expenditures of the industrial accident board. *Chap.* 48

Be it enacted, etc., as follows:

Section 1. Section two of Part III of chapter seven hundred and fifty-one of the acts of the year nineteen hundred and eleven, as amended by section seven of chapter five hundred and seventy-one of the acts of the year nineteen hundred and twelve, is hereby further amended by striking out the words "an annual sum not exceeding ten thousand dollars", in the seventh and eighth lines, and inserting in place thereof the words: — such sums as may annually be appropriated by the general court, — so as to read as follows: — *Section 2.* The salaries and expenses of the board shall be paid by the commonwealth. The salary of the chairman shall be five thousand dollars a year, and the salary of the other members shall be forty-five hundred dollars a year each. The board may appoint a secretary at a salary of not more than three thousand dollars a year, and may remove him. It shall also be allowed such sums as may annually be appropriated by the general court, for clerical service, and travelling and other necessary expenses. The board shall be provided with an office in the state house 1911, 751, Part III, § 2, etc., amended.

Salaries and expenses, etc.

or in some other suitable building in the city of Boston, in which its records shall be kept.

SECTION 2. This act shall take effect upon its passage.

Approved February 4, 1913.

Chap. 49 AN ACT RELATIVE TO PROMOTION OF CALL FIREMEN TO THE PERMANENT FORCE IN THE CITY OF WALTHAM.

Be it enacted, etc., as follows:

Certain call firemen eligible for appointment to permanent force, etc.

SECTION 1. Members of the fire department of the city of Waltham, known as call members, who are not over forty-five years of age and who have served in that department continuously for not less than five years, and who are certified by the city physician of the city of Waltham to be physically qualified, shall be eligible to the permanent force of the department, without further examination: *provided*, that all persons whose names were on the civil service list on the first day of February, nineteen hundred and thirteen, as eligible for appointment as permanent firemen in the said city, shall during the term for which they are eligible be given the preference in appointment over any call member.

Proviso.

Repeal.

SECTION 2. So much of any act as is inconsistent herewith is hereby repealed.

SECTION 3. This act shall take effect upon its passage.

(*The foregoing was laid before the governor on the thirty-first day of January, 1913, and after five days it had "the force of a law", as prescribed by the Constitution, as it was not returned by him with his objections thereto within that time.*)

Chap. 50 AN ACT RELATIVE TO THE LIGHTING OF THE WAYS OF EGRESS FROM PLACES OF PUBLIC ENTERTAINMENT IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

1907, 550, § 105, etc., amended.

Section one hundred and five of chapter five hundred and fifty of the acts of the year nineteen hundred and seven, as amended by chapter three hundred and seventy of the acts of the year nineteen hundred and twelve, being an act relative to the construction, alteration and maintenance of buildings in the city of Boston, is hereby amended by adding at the end thereof, the following paragraph: — Every

existing building containing a hall or assembly room to which admission is not free, and to which the provisions of chapter four hundred and ninety-four of the acts of the year nineteen hundred and eight, relative to the licensing of public entertainments apply, shall have all the ways of egress from such building sufficiently lighted, and lighted in a manner satisfactory to the building commissioner, while the hall or assembly room is occupied by an audience. Lighting of ways of egress from certain buildings in the city of Boston.

Approved February 8, 1913.

An Act making appropriations for salaries and expenses in the department of the tax commissioner and commissioner of corporations. *Chap.* 51

Be it enacted, etc., as follows:

Section 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, for the department of the tax commissioner and commissioner of corporations, for the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen, to wit: — Appropriations.

For the salary of the tax commissioner and commissioner of corporations, five thousand dollars. Tax commissioner, salary.

For the salary of Charles A. Andrews, deputy commissioner, four thousand dollars. Deputy commissioner.

For the salaries of the three assistants, eighty-five hundred dollars. Assistants.

For the salary of the first clerk, twenty-two hundred dollars. First clerk.

For the salary of the second clerk, fifteen hundred dollars. Second clerk.

For the salaries of the supervisors of assessors, six thousand dollars. Supervisors.

For additional clerical assistance, a sum not exceeding forty-nine thousand dollars. Clerical assistance.

For incidental and contingent expenses, including rent of rooms outside the state house, a sum not exceeding twelve thousand five hundred dollars. Incidental expenses, etc.

For travelling expenses of the commissioner and his deputy, and for travelling and other expenses of the supervisors of assessors, a sum not exceeding thirty-two hundred dollars. Travelling expenses, etc.

For valuation books for assessors of cities and towns, a sum not exceeding twenty-four hundred dollars. Valuation books.

Annual report.

For printing and binding the annual report and the table of aggregates, including lists of corporations for the use of assessors, a sum not exceeding sixteen hundred dollars.

SECTION 2. This act shall take effect upon its passage.

Approved February 8, 1913.

Chap. 52 AN ACT MAKING APPROPRIATIONS FOR CERTAIN EXPENSES OF THE TRUSTEES OF HOSPITALS FOR CONSUMPTIVES.

Be it enacted, etc., as follows:

Appropriations, trustees of hospitals for consumptives.

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, for the trustees of hospitals for consumptives, for the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen, to wit: —

Expenses.

For travelling and other necessary expenses of the trustees, to include the printing and binding of their annual report, a sum not exceeding twenty-six hundred and seventy dollars.

Secretary.

For the salary of the secretary of the trustees, two thousand dollars.

Stenographer.

For the salary of the stenographer, twelve hundred dollars.

Clerical services.

For extra clerical services, a sum not exceeding five hundred dollars.

Tuberculosis hospitals.

To encourage and promote the building and use of tuberculosis hospitals in cities and towns, twenty-five hundred dollars.

Social worker.

For salary and expenses of a trained social worker to look up discharged patients, a sum not exceeding two thousand dollars.

SECTION 2. This act shall take effect upon its passage.

Approved February 8, 1913.

Chap. 53 AN ACT MAKING APPROPRIATIONS FOR SALARIES AND EXPENSES IN THE DEPARTMENT OF THE STATE BOARD OF INSANITY.

Be it enacted, etc., as follows:

Appropriations, state board of insanity.

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, for the state board of insanity, for the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen, to wit: —

Expenses.

For travelling, office and contingent expenses, including printing and binding the annual report, a sum not exceeding ten thousand five hundred dollars.

For salaries of officers and employees, a sum not exceeding forty-three thousand dollars. Salaries.

For transportation and medical examination of state paupers under the charge of the board, for the present year and for previous years, a sum not exceeding eleven thousand dollars. Transportation, etc., of state paupers.

For the support of insane paupers boarded out in families, under the charge of the board, or temporarily absent under the authority of the same, for the present year and for previous years, a sum not exceeding forty-six thousand dollars. Support of insane paupers.

For the support of state paupers in the hospital cottages for children, a sum not exceeding ninety-five hundred dollars. Support of certain state paupers.

For the expenses of an investigation as to the nature, causes, results and treatment of mental diseases and defects, and the publication of the results thereof, a sum not exceeding twenty-five hundred dollars. Investigation, etc., of mental diseases, etc.

Section 2. This act shall take effect upon its passage.

Approved February 8, 1913.

An Act relative to the cemetery commission of the second parish of Dorchester. *Chap.* 54

Be it enacted, etc., as follows:

Section five of chapter two hundred and twenty-eight of the acts of the year eighteen hundred and sixty-seven is hereby amended by striking out the words "in the month of March or April", in the first and second lines, and inserting after the word "parish", in the second line, the words: — at its annual meeting, — so as to read as follows: — *Section 5.* Said board shall annually render to said parish at its annual meeting a report in writing of their doings, and of the condition of said cemetery, and an account of their receipts and expenditures. 1867, 228, § 5, amended. To make report in writing.

Approved February 8, 1913.

An Act to change the name and purpose of the Roxbury Home for Children and Aged Women and to authorize it to hold additional real and personal estate. *Chap.* 55

Be it enacted, etc., as follows:

Section 1. The name of the corporation now known as the Roxbury Home for Children and Aged Women is hereby changed to the Roxbury Home for Aged Women. Name changed.

Purpose.

SECTION 2. The purpose of said corporation shall be to provide a home or homes in Roxbury for aged women.

May hold real and personal estate.

SECTION 3. Said corporation may take and hold real estate not exceeding one hundred thousand dollars in value, and personal estate not exceeding five hundred thousand dollars in value for the aforesaid charitable purpose.

Repeal.

SECTION 4. So much of chapter two hundred and forty of the acts of the year eighteen hundred and fifty-six, entitled "An Act to incorporate the Children's Home and Home for Aged Females in Roxbury", as amended by chapter one hundred and ninety-nine of the acts of the year eighteen hundred and seventy-four, and by chapter thirteen of the acts of the year eighteen hundred and eighty-three, as is inconsistent herewith is hereby repealed.

SECTION 5. This act shall take effect upon its passage.

Approved February 8, 1913.

Chap. 56 AN ACT TO AUTHORIZE THE SALE OR LEASE OF REAL ESTATE OWNED BY THE FIRST CONGREGATIONAL CHURCH OF ABINGTON AND THE FIRST PARISH OF ABINGTON.

Be it enacted, etc., as follows:

First Congregational Church of Abington may sell or lease certain real estate.

SECTION 1. The deacons of the First Congregational Church of Abington, and the First Parish of Abington, are hereby authorized to sell at public or private sale, or lease, as may seem best to them, in one or more lots, and to convey, the parsonage land or the building thereon, together or separately, which land and building were conveyed to said church and parish under the will of Edward Cobb, late of Abington, deceased, and are situated in the town of Abington. The said land contains about one acre, and is bounded as follows: — On the north by land of Carrol G. Faxon, on the west by Bedford street, on the south by Brockton avenue, and on the east by land of William S. O'Brien.

Conveyance, etc., of estate.

SECTION 2. A deed conveying the said land and the building thereon, one or both, or a lease, as may be desired, may be executed and delivered by said deacons and by any person who may be authorized thereto by the said parish, and the purchaser or lessee shall hold the land free from any trust and without any obligation to see to the application of the purchase money.

Application of proceeds.

SECTION 3. The proceeds of any sale or lease made hereunder shall be devoted to the maintenance and improvement

of the parsonage, to the purchase of land or buildings, or to the erection of a building, all of which shall be used solely for parsonage purposes.

Section 4. This act shall take effect upon its passage.

Approved February 8, 1913.

An Act to authorize the trustees of the Delta Upsilon Society of Williams College to hold additional real and personal estate. *Chap.* 57

Be it enacted, etc., as follows:

Section 1. Section two of chapter thirty-six of the acts of the year eighteen hundred and eighty-eight is hereby amended by striking out the word "twenty", in the third line, and inserting in place thereof the word: — forty, — so as to read as follows: — *Section 2.* Said corporation may hold real and personal estate for the uses of the above named society to an amount not exceeding forty thousand dollars which shall not be exempt from taxation. 1888, 36, § 2, amended. May hold real and personal estate.

Section 2. This act shall take effect upon its passage.

Approved February 8, 1913.

An Act to authorize the Shelburne Falls Fire District to make an additional water loan. *Chap.* 58

Be it enacted, etc., as follows:

Section 1. The Shelburne Falls Fire District in the towns of Buckland and Shelburne, established by chapter two hundred and sixty-two of the acts of the year eighteen hundred and fifty-five and acts in amendment thereof and in addition thereto, may, for the purposes mentioned in chapter six hundred and forty-four of the acts of the year nineteen hundred and eleven, issue bonds, notes or scrip to an amount not exceeding fifteen thousand dollars in addition to the amounts heretofore authorized to be issued by said district for the same purposes. Such bonds, notes or scrip shall bear on their face the words, Shelburne Falls Fire District Water Loan, Act of 1913; shall be payable at the expiration of periods not exceeding thirty years from the dates of issue; shall bear interest, payable semi-annually, at a rate not exceeding five per cent per annum; and shall be signed by the treasurer and countersigned by the board of Shelburne Falls Fire District Water Loan, Act of 1913.

water commissioners of said district. Said district may sell such securities at public or private sale, upon such terms and conditions as it may deem proper, but they shall not be sold for less than their par value.

Payment of loan.

SECTION 2. Said district shall, at the time of authorizing said loan, provide for the payment thereof in such annual proportionate payments, beginning not more than one year after the first issue of such bonds, notes or scrip, as will extinguish the same within the time prescribed by this act; and when a vote to that effect has been passed a sum which, with the income derived from water rates, will be sufficient to pay the annual expense of operating its water works and the interest as it accrues on the bonds, notes or scrip issued as aforesaid by said district, and to make such payments on the principal as may be required under the provisions of this act, shall without further vote be assessed by the assessors of said district in each year thereafter, in the same manner in which other taxes are assessed, until the debt incurred by said loan is extinguished.

SECTION 3. This act shall take effect upon its passage.

Approved February 8, 1913.

Chap. 59 AN ACT TO AUTHORIZE THE TOWN OF FRAMINGHAM TO PAY ADDITIONAL COMPENSATION TO CERTAIN FORMER MEMBERS OF THE BOARD OF ASSESSORS OF THE SAID TOWN.

Be it enacted, etc., as follows:

The town of Framingham may pay assessors for making partial revaluation.

SECTION 1. The town of Framingham is hereby authorized to pay to James E. Hall, Harrison C. Kingman, Adoniram J. Hemenway, George C. Blades and the legal representatives of Charles A. Hemenway, being persons who constituted the board of assessors of said town for the years nineteen hundred and ten and nineteen hundred and eleven, a sum not exceeding two hundred and forty dollars each, in full compensation for, and payment of, the services of said assessors in making a partial revaluation of said town by order of the town between April first, nineteen hundred and ten, and April first, nineteen hundred and eleven.

SECTION 2. This act shall take effect upon its passage.

Approved February 8, 1913.

An Act to confirm and validate certain town meetings in the town of Mattapoisett and all votes and acts thereunder. *Chap.* 60

Be it enacted, etc., as follows:

Certain proceedings of the town of Mattapoisett confirmed, etc.

Section 1. The town meetings of the town of Mattapoisett held on the twenty-ninth day of August in the year nineteen hundred and twelve and on the seventeenth day of September in the year nineteen hundred and twelve shall not be invalid by reason of the fact that the warrants for said meetings or any of them were not posted in accordance with the by-laws of the town, or by reason of any other informality or irregularity in the calling or conduct of any of said meetings. All votes and acts of the town at said meetings and all acts done pursuant to said votes are hereby validated and confirmed.

Section 2. This act shall take effect upon its passage.

Approved February 11, 1913.

An Act to authorize the town of Southampton to refund certain indebtedness. *Chap.* 61

Be it enacted, etc., as follows:

The town of Southampton may borrow money to refund certain indebtedness.

Section 1. The town of Southampton, for the purpose of refunding certain outstanding indebtedness of the town amounting to nine thousand two hundred and twenty dollars and represented by demand notes due the Searle Fund, so-called, is hereby authorized to borrow the said sum and to issue therefor notes of the town in conformity with the provisions of section thirteen of chapter twenty-seven of the Revised Laws and acts in amendment thereof, or in addition thereto, so that the whole debt will be paid within nineteen years from the date of issue of the first note. Said notes shall bear interest at a rate not exceeding five per cent per annum, and the amount required to pay the interest and that part of the principal due each year shall be raised by taxation, and shall, without further action by the town, be assessed annually by the assessors in the same manner in which other taxes are assessed, until the debt is extinguished.

Section 2. This act shall take effect upon its passage.

Approved February 11, 1913.

Chap. 62 AN ACT TO AUTHORIZE TOWNS TO APPROPRIATE MONEY FOR RENTING HEADQUARTERS FOR POSTS OF THE GRAND ARMY OF THE REPUBLIC.

Be it enacted, etc., as follows:

R. L. 25, § 15, amended.

SECTION 1. The twelfth paragraph of section fifteen of chapter twenty-five of the Revised Laws is hereby amended by adding at the end thereof the following: — Such special vote may also include such amount as the town may consider necessary to pay the rent of a suitable place for the post of the grand army of the republic situated in the town, in which to hold its meetings, — so that the said paragraph will read as follows: — For necessary aid to soldiers and sailors and their families, and to the families of the slain, and, by special vote, may entrust such amount or any part thereof to any post of the grand army of the republic in such town to be disbursed under its direction to any such persons residing therein, but the treasurer or other financial officer of such post shall, before receiving such money, give bond to the town for the faithful disbursement thereof in a sum and with sureties to the satisfaction of the selectmen, and annually return to the town an itemized and specific statement under oath of the disbursement of such amounts during the preceding year, and exhibit his vouchers therefor to a committee of the town for examination. Such special vote may also include such amount as the town may consider necessary to pay the rent of a suitable place for the post of the grand army of the republic situated in the town, in which to hold its meetings.

Towns may appropriate money for certain purposes.

SECTION 2. This act shall take effect upon its passage.

Approved February 11, 1913.

Chap. 63 AN ACT RELATIVE TO THE RETIREMENT ASSOCIATION OF STATE EMPLOYEES.

Be it enacted, etc., as follows:

1911, 532, § 6, amended.

SECTION 1. Clause (*b*) of division *A* of sub-section two of section six of chapter five hundred and thirty-two of the acts of the year nineteen hundred and eleven is hereby amended by adding at the end thereof the following: — *provided*, that, if there is no executor or administrator of the estate of such deceased person, all sums due under this paragraph, not exceeding fifty dollars in any one case, may

be paid to such person or persons as appear to be entitled to the proceeds of the estate, — so that the said clause will read as follows: — (*b*) Should a member of the association die before becoming entitled to a pension, there shall be paid to his legal representatives all the money paid in by him under section five, (2) *A*, with such interest as shall have been earned on such deposits: *provided*, that, if there is no executor or administrator of the estate of such deceased person, all sums due under this paragraph, not exceeding fifty dollars in any one case, may be paid to such person or persons as appear to be entitled to the proceeds of the estate.

Annuity and pension funds.

Proviso.

Section 2. This act shall take effect upon its passage.

Approved February 11, 1913.

An Act to provide for an inclosed athletic field in the city of Chelsea. *Chap.* 64

Be it enacted, etc., as follows:

Section 1. So much of the park lands known as the Carter Street playground, under the jurisdiction of the park commissioner of the city of Chelsea, as shall be designated for that purpose by the said commissioner, shall be set apart for an inclosed athletic field under such regulations as may be prescribed by the commissioner. A plan showing the extent of the land so set apart shall be made and shall be kept on file in the office of the park commissioner.

Athletic field provided in the city of Chelsea.

Section 2. This act shall be submitted to the voters of the city of Chelsea at the next municipal election, in answer to the question, "Shall an act passed by the legislature in the year nineteen hundred and thirteen authorizing the park commissioner to set apart a part of the park lands known as the Carter Street playground for an inclosed athletic field, be accepted?" If a majority of the votes cast thereon are in the affirmative, this act shall take effect; otherwise it shall be void. *Approved February 11, 1913.*

Question to be submitted to voters for acceptance.

An Act to authorize the town of Plainfield to refund certain outstanding indebtedness. *Chap.* 65

Be it enacted, etc., as follows:

Section 1. For the purpose of paying certain outstanding demand notes amounting to seventeen hundred dollars,

The town of Plainfield may borrow money

for paying certain notes.

the town of Plainfield is hereby authorized to borrow the said sum and to issue therefor nine notes of the town, of which eight shall be for two hundred dollars each, and one

Payment of indebtedness.

for one hundred dollars. Said notes shall be payable one each year, beginning not more than one year after the date of issue, so that the whole debt will be paid within nine years from the date of issue of the first note. The notes for two hundred dollars shall be payable prior to the note for one hundred dollars. Said notes shall bear interest at a rate not exceeding five per cent per annum, payable semi-annually, and the amount required to pay the interest and that part of the principal due each year shall be raised by taxation, and shall, without further action by the town, be assessed annually by the assessors in the same manner in which other taxes are assessed, until the debt is extinguished.

Further vote of the town not required.

SECTION 2. The treasurer of the town of Plainfield, with the approval of the selectmen, is hereby authorized, without further vote of the town, to incur indebtedness under the provisions of this act for which said town shall be liable, and to issue notes of the town therefor in accordance with law.

SECTION 3. This act shall take effect upon its passage.

Approved February 11, 1913.

Chap. 66 AN ACT MAKING APPROPRIATIONS FOR THE SALARIES AND EXPENSES OF THE COMMISSION ON ECONOMY AND EFFICIENCY.

Be it enacted, etc., as follows:

Appropriations, commission on economy and efficiency.

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, for the salaries and expenses of the commission on economy and efficiency, for the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen, to wit: —

Salaries of members.

For the salaries of the members of the commission, a sum not exceeding eighty-five hundred dollars.

Expenses.

For the salaries of the secretary, experts, clerks and other assistants, and for such other expenses as may be deemed necessary and proper, a sum not exceeding twenty thousand dollars.

SECTION 2. This act shall take effect upon its passage.

Approved February 11, 1913.

An Act to increase the amount of property which may be held by the trustees of the American College for Girls at Constantinople in Turkey. *Chap.* 67

Be it enacted, etc., as follows:

Section 1. Section four of chapter two hundred and forty-nine of the acts of the year nineteen hundred and eight is hereby amended by striking out the words "one million five hundred thousand", in the last line, and inserting in place thereof the words: — six million, — so as to read as follows: — *Section 4.* Said corporation shall be capable of taking and holding in fee simple, or any less estate, by gift, grant, bequest, devise, in trust or otherwise, any lands, tenements or other estate, real, personal or mixed, to any amount not exceeding six million dollars.

1908, 249, § 4, amended.

May hold, etc., real and personal estate, etc.

Section 2. This act shall take effect upon its passage.

Approved February 11, 1913.

An Act to provide for advancing certain causes for speedy trial. *Chap.* 68

Be it enacted, etc., as follows:

Section 1. Upon the entry of any suit against the commonwealth or any county, city or town to recover damages for the taking of, or injury to, real estate under authority of any law or statute, the court shall, at the request of any party to the suit, advance the same so that it may be heard and determined with as little delay as possible.

Certain suits may be advanced for speedy trial.

Section 2. This act shall take effect upon its passage.

Approved February 12, 1913.

An Act making appropriations for the compensation and expenses of the minimum wage commission. *Chap.* 69

Be it enacted, etc., as follows:

Section 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, for the compensation and expenses of the minimum wage commission, during the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen, to wit: —

Appropriations, minimum wage commission.

Salary of secretary.
Travelling expenses, etc.

For the salary of the secretary, two thousand dollars.

For the compensation and travelling expenses of the members of the commission, and for other necessary expenses, as provided for by section two of chapter seven hundred and six of the acts of the year nineteen hundred and twelve, five thousand dollars.

SECTION 2. This act shall take effect upon its passage.

Approved February 12, 1913.

Chap. 70 AN ACT RELATIVE TO THE DUTIES OF JUDGES OF PROBATE AND INSOLVENCY.

Be it enacted, etc., as follows:

R. L. 164, § 5, etc., amended.

Section five of chapter one hundred and sixty-four of the Revised Laws, as amended by section one of chapter four hundred and one of the acts of the year nineteen hundred and four and by chapter three hundred and twenty-two of the acts of the year nineteen hundred and twelve, is hereby further amended by inserting after the word "shall", in the seventh line, the words: — in case there is no special judge of probate and insolvency in said county ready to act, — so as to read as follows: — *Section 5.*

Assistance to judges of probate and insolvency.

If a judge of probate and insolvency is unable to perform his duties, or any part of them, from sickness, interest or other legal disqualification, or if, in his opinion, the court requires the assistance of another judge, or if there is a vacancy in the office of judge of probate and insolvency, or if the judge be absent, his duties, or such of them as he may request, shall, in case there is no special judge of probate and insolvency in said county ready to act, be performed in the same county by the judge of probate and insolvency of any other county who may be designated by the judge, or, in case of his failure so to designate, who may be designated by the register of probate and insolvency from time to time as may be necessary; but, unless objection is made by an interested party before the decree is made, any case may be heard and determined out of said county in the performance of such duties by such other judge, who may send his decree to the registry of probate for the county in which the case is pending. Two or more simultaneous sessions of the court may be held, the fact being so stated upon the record.

Approved February 12, 1913.

An Act relative to the annual town meetings of the town of Abington. *Chap.* 71

Be it enacted, etc., as follows:

Adjournment of town meetings in the town of Abington.

Section 1. The town of Abington, which now holds its annual town meeting on the first Monday of March and which has been divided into voting precincts for voting for all town officers and for voting on the question of granting licenses for the sale of intoxicating liquors, may adjourn the election of such officers and the voting on said question to the second Monday of March, and may transact at the meeting on the first Monday of March all matters to be considered at the annual town meeting other than the election of town officers and the question of granting licenses for the sale of intoxicating liquors. The time and place of holding the adjourned meeting for the election of officers and for voting on said question of the granting of licenses for the sale of intoxicating liquors shall be stated in the warrant for the annual election, and said election and the meetings to be held on the first Monday of March and on the second Monday of March and any adjournment thereof shall be regarded as parts of the annual town meeting. At the meeting held on the first Monday of March, a moderator may be chosen.

Repeal.

Section 2. All acts and parts of acts inconsistent herewith are hereby repealed. *Approved February 12, 1913.*

An Act to authorize the placing of the name of Leon L. Dennis on the official ballot for the ensuing town meeting of the town of Swampscott. *Chap.* 72

Be it enacted, etc., as follows:

Certain name to be placed upon the ballot in the town of Swampscott.

Section 1. The town clerk of the town of Swampscott is hereby authorized and directed to place on the official ballot for the town meeting of the town of Swampscott to be held during the month of February, nineteen hundred and thirteen, the name of Leon L. Dennis as a candidate for the office of water and sewer commissioner of said town for the term of one year.

Section 2. This act shall take effect upon its passage. *Approved February 12, 1913.*

Chap. 73 AN ACT RELATIVE TO THE CARE AND TREATMENT OF PERSONS AFFLICTED WITH LEPROSY.

Be it enacted, etc., as follows:

1905, 474, § 1. amended.

SECTION 1. Section one of chapter four hundred and seventy-four of the acts of the year nineteen hundred and five is hereby amended by adding at the end thereof the following: — The said board in maintaining said hospital shall have power to retain all persons afflicted with leprosy for such time as it shall deem necessary for the well-being of the patient and the safety of the public, and may discharge such persons when in its judgment their health and the public welfare would not be endangered thereby, — so as to read as follows: — *Section 1.* The state board of charity, subject to the approval of the governor, shall be authorized to take in the name and for the use of the commonwealth land in fee by purchase or eminent domain, and to erect and maintain thereon a hospital for the custody, care and treatment of persons afflicted with leprosy, and for said purpose may expend a sum not exceeding fifty thousand dollars. The said board in maintaining said hospital shall have power to retain all persons afflicted with leprosy for such time as it shall deem necessary for the well-being of the patient and the safety of the public, and may discharge such persons when in its judgment their health and the public welfare would not be endangered thereby.

Land may be taken and hospital erected for care, etc., of persons afflicted with leprosy.

SECTION 2. This act shall take effect upon its passage.

Approved February 14, 1913.

Chap. 74 AN ACT MAKING APPROPRIATIONS FOR THE MAINTENANCE OF THE LAKEVILLE STATE SANATORIUM.

Be it enacted, etc., as follows:

Lakeville state sanatorium, maintenance.

SECTION 1. The sums hereinafter mentioned are appropriated, for the maintenance of the Lakeville state sanatorium, for the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen, to wit: —

From the receipts of said sanatorium now in the treasury of the commonwealth, the sum of seventeen thousand two hundred eighty-six dollars and eight cents; and from the treasury of the commonwealth from the ordinary revenue, a sum not exceeding seventy thousand thirteen dollars and ninety-two cents.

SECTION 2. This act shall take effect upon its passage.

Approved February 14, 1913.

An Act making appropriations for the maintenance of the Danvers state hospital. *Chap.* 75

Be it enacted, etc., as follows:

Section 1. The sums hereinafter mentioned are appropriated, for the maintenance of the Danvers state hospital, for the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen, to wit: — Danvers state hospital, maintenance.

From the receipts of said hospital now in the treasury of the commonwealth, the sum of sixty-four thousand eleven dollars and fifteen cents; and from the treasury of the commonwealth from the ordinary revenue, a sum not exceeding two hundred ninety thousand five hundred eighty-eight dollars and eighty-five cents.

Section 2. This act shall take effect upon its passage.

Approved February 14, 1913.

An Act making appropriations for the maintenance of the Foxborough state hospital. *Chap.* 76

Be it enacted, etc., as follows:

Section 1. The sums hereinafter mentioned are appropriated, for the maintenance of the Foxborough state hospital, for the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen, to wit: — Foxborough state hospital, maintenance.

From the receipts of said hospital now in the treasury of the commonwealth, the sum of sixty-nine hundred sixty-five dollars and ninety-nine cents; and from the treasury of the commonwealth from the ordinary revenue, a sum not exceeding ninety-six thousand five hundred thirty-four dollars and one cent.

Section 2. This act shall take effect upon its passage.

Approved February 14, 1913.

An Act making appropriations for the maintenance of the Norfolk state hospital. *Chap.* 77

Be it enacted, etc., as follows:

Section 1. The sums hereinafter mentioned are appropriated, for the maintenance of the Norfolk state hospital, during the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen, to wit: — Norfolk state hospital, maintenance.

From the receipts of said hospital now in the treasury of the commonwealth, the sum of three hundred twenty-two dollars and thirty-two cents; and from the treasury of the

commonwealth from the ordinary revenue, a sum not exceeding twenty-nine thousand one hundred seventy-seven dollars and sixty-eight cents.

SECTION 2. This act shall take effect upon its passage.

Approved February 14, 1913.

Chap. 78 AN ACT MAKING APPROPRIATIONS FOR THE COMPENSATION OF CERTAIN VETERANS AND PRISON OFFICERS WHO HAVE RETIRED FROM THE SERVICE OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

Appropriations.

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, for the purposes specified, for the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen, to wit: —

Retired veterans.

For the compensation of certain veterans of the civil war and others formerly in the service of the commonwealth and now retired from that service, a sum not exceeding sixty thousand dollars.

Retired prison officers.

For the compensation of certain prison officers formerly in the service of the commonwealth and now retired, a sum not exceeding eight thousand dollars.

Retired district police officers.

For compensation of district police officers formerly in the service of the commonwealth and now retired, a sum not exceeding one thousand dollars.

SECTION 2. This act shall take effect upon its passage.

Approved February 14, 1913.

Chap. 79 AN ACT MAKING APPROPRIATIONS FOR THE MAINTENANCE OF THE MASSACHUSETTS HOSPITAL SCHOOL.

Be it enacted, etc., as follows:

Massachusetts hospital school, maintenance.

SECTION 1. The sums hereinafter mentioned are appropriated, for the maintenance of the Massachusetts hospital school, for the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen, to wit: —

From the receipts of said school now in the treasury of the commonwealth, the sum of thirty-eight thousand six hundred seventy-nine dollars and seventy-four cents; and from the treasury of the commonwealth from the ordinary revenue, a sum not exceeding thirty-four thousand nine hundred thirty-four dollars and twenty-six cents.

SECTION 2. This act shall take effect upon its passage.

Approved February 14, 1913.

An Act making appropriations for the maintenance of the Gardner state colony. *Chap.* 80

Be it enacted, etc., as follows:

Section 1. The sums hereinafter mentioned are appropriated, for the maintenance of the Gardner state colony, for the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen, to wit: — Gardner state colony, maintenance.

From the receipts of said colony now in the treasury of the commonwealth, the sum of forty-four hundred fifty dollars and twenty-five cents; and from the treasury of the commonwealth from the ordinary revenue, a sum not exceeding one hundred thirty-seven thousand forty-nine dollars and seventy-five cents.

Section 2. This act shall take effect upon its passage.

Approved February 14, 1913.

An Act relative to the admission as evidence of records of convictions of witnesses. *Chap.* 81

Be it enacted, etc., as follows:

Section 1. Chapter one hundred and seventy-five of the Revised Laws is hereby amended by striking out section twenty-one and inserting in place thereof the following: — R. L. 175, § 21, amended.

Section 21. The conviction of a witness of a felony may be shown to affect his credibility, but the conviction of a witness of a misdemeanor shall not be admissible to affect his credibility unless the conviction was obtained within the period of five years prior to the time of his testifying, or unless there has been a subsequent conviction of the witness within the period of five years prior to the time of his testifying. Competency of witness convicted of crime.

Section 2. This act shall take effect upon its passage.

Approved February 14, 1913.

An Act relative to reports of charitable corporations. *Chap.* 82

Be it enacted, etc., as follows:

Section 1. Section fourteen of chapter eighty-four of the Revised Laws, as amended by chapter four hundred and two of the acts of the year nineteen hundred and three, is hereby further amended by adding at the end thereof the following: — If any corporation subject to the provisions of this act shall fail for two successive years to file the said R. L. 84, § 14, etc., amended.

report, the supreme judicial court, upon application by the state board of charity, after notice and a hearing, may decree a dissolution of the corporation, — so as to read as follows: —

Certain charitable corporations to make annual report to state board of charity.

Section 14. A charitable corporation whose personal property is exempt from taxation under the provisions of clause three of section five of chapter twelve shall annually, on or before the first day of November, make to the state board of charity a written or printed report for its last financial year, showing its property, its receipts and expenditures, the whole number and the average number of its beneficiaries and such other information as the board may require. If any corporation subject to the provisions of this act shall fail for two successive years to file the said report, the supreme judicial court, upon application by the state board of charity, after notice and a hearing, may decree a dissolution of the corporation.

Time of taking effect.

SECTION 2. This act shall take effect upon the first day of November in the year nineteen hundred and thirteen.

Approved February 14, 1913.

Chap. 83 AN ACT TO INCORPORATE THE BROCKTON CHAMBER OF COMMERCE, INCORPORATED.

Be it enacted, etc., as follows:

The Brockton Chamber of Commerce, Incorporated.

SECTION 1. Arthur H. Andrews, Horace A. Poole, Ellery C. Dean, Walter Pratt, Walter M. Steele, Lester G. Flagg, John P. Meade, F. Ernest Mackie, G. Ernest Spear, James F. Moriarty, David F. Sullivan, William D. Dwyer and William G. Rowe, their associates and successors, are hereby made a corporation by the name of Brockton Chamber of Commerce, Incorporated.

Purposes.

SECTION 2. The purpose of the corporation shall be to promote the commerce, trade, industry and public interests of the city of Brockton, and New England; to promote and regulate a commercial exchange in the city of Brockton; to acquire and disseminate business information; to establish and maintain uniformity in commercial usages; and to promote just and equitable principles of trade.

Powers, duties, etc.

SECTION 3. The corporation shall have all the powers and privileges and be subject to all the duties, restrictions and liabilities set forth in all general laws now or hereafter in force, applicable to such corporations and not inconsistent with this act.

By-laws, etc.

Section 4. The corporation shall have power to establish by-laws suitable to carry out the powers hereby granted, including provisions as to the admission, suspension and expulsion of members, and a delegation of power to officers, committees and directors.

Directors, etc.

Section 5. The management and control of the property and affairs of said corporation, subject to its by-laws, shall be vested in a board of twelve directors, who shall be elected as may be provided in the by-laws to be adopted by the corporation, and there shall be such other officers with such duties as the by-laws may prescribe.

May hold real and personal estate, etc.

Section 6. The corporation is hereby authorized to hold real and personal estate to an amount not exceeding fifty thousand dollars, with authority to sell, purchase, mortgage, lease or rent the same or any part thereof.

Section 7. This act shall take effect upon its passage.

Approved February 14, 1913.

An Act to unite the Winthrop Church with the First Parish in the Town of Charlestown and the Church affiliated therewith and for other purposes. *Chap.* 84

Be it enacted, etc., as follows:

First Church in Charlestown incorporated.

Section 1. The voluntary religious association, commonly known as the First Church, or the First Church of Christ, or the First Parish Church in Charlestown, affiliated with the First Parish in the Town of Charlestown, incorporated by an act approved March fifth in the year eighteen hundred and three, and situated in the Charlestown district of Boston, upon the acceptance of this act by a two thirds vote of its members present and voting at a meeting called for the purpose and by the recording in the registry of deeds for the county of Suffolk of a certificate of said vote, duly made and sworn to by the clerk of said meeting, shall be a corporation by the name of the First Church in Charlestown, with all the rights, powers, franchises, and privileges which the said voluntary religious association has heretofore acquired, or enjoyed by statute, vote, gift, grant, usage, prescription or otherwise, and subject to all the duties and liabilities to which the said voluntary religious association has heretofore been subject, and also, except as may be provided otherwise in this act, with all the rights, powers, and privileges, and subject to all the duties and liabilities, of

religious corporations instituted under the general laws of the commonwealth; and upon the acceptance of this act as aforesaid, all members of the said voluntary religious association shall be members of the said new corporation, the First Church in Charlestown.

Membership.

Property, etc., of certain religious association to be vested in said corporation.

SECTION 2. All property, both real and personal, and all property rights, now held or owned by the said voluntary religious association, or by its deacons or other officers in trust for the said voluntary religious association or for other charitable purposes administered in connection with it or otherwise, shall be vested, upon the acceptance of this act as aforesaid, in the corporation created by the first section of this act, and thereafter shall be held in fee simple by the said corporation upon the same uses and trusts upon which the same are now held and upon no other, and the said deacons, and any other officers of the said voluntary religious association who hold real or personal estate under the general laws of this commonwealth, are hereby authorized, at any time after the acceptance of this act as aforesaid, subject to the same uses and trusts as when held by them, to convey such property, real and personal, to the corporation created by section one of this act.

May take, etc., real and personal estate, etc.

SECTION 3. The corporation created by section one of this act is hereby authorized to take and hold for religious, benevolent and charitable purposes gifts, grants, bequests, devises of real and personal property to an amount, exclusive of all buildings and the land pertaining thereto, occupied or used by it for said purposes, not exceeding the sum of two hundred thousand dollars, with full power to sell and convey, free of trust, any part or the whole of its said property, including said land and buildings, for purposes of investment and reinvestment, and for the improvement, alteration or relocation of any of its said buildings, and upon any such sale the proceeds thereof shall be held upon the same trusts upon which the property thus sold was held, and the purchaser shall not be responsible for the application of the purchase money.

May convey certain property.

At any time after the acceptance of this act as aforesaid, the said corporation may convey any or all of its property, both real and personal, subject, nevertheless, as to any property held by it in trust, to the same trusts and uses as when held by it, in trust, either for its own benefit or for the general purposes of the grantee next hereinafter named, to the Congregational Church Union of

Boston and Vicinity, a corporation duly organized under the laws of the said commonwealth, and to its successors, if, and in such manner as, the said corporation, the First Church in Charlestown, by a two thirds vote of its members present and voting, at a meeting called for the purpose, shall vote to make such a conveyance.

The First Parish in the Town of Charlestown may convey its property to said corporation, etc.

Section 4. At any time after the acceptance of this act, as provided in section one, the said First Parish in the Town of Charlestown may, by a two thirds vote of its members present and voting at a meeting called for the purpose, authorize one or more persons in its name and on its behalf to execute, acknowledge and deliver proper deeds and other instruments, conveying in fee simple all of its property, both real and personal, to the corporation created by section one of this act, and upon the acceptance of the said conveyance by the corporation created by section one of this act by a two thirds vote of its members present and voting at a meeting duly called for the purpose, and upon the recording in the registry of deeds for the county of Suffolk of the said deeds and other instruments of transfer, together with certificates, duly made and sworn to by the clerks of the said meetings, respectively, of the said votes authorizing the said conveyance and the acceptance thereof, the members of the said corporation, the First Parish in the Town of Charlestown, shall become members of the corporation created by section one of this act, with all the rights of any members thereof, and the corporate existence of the said corporation, the First Parish in the Town of Charlestown, shall cease and determine.

The Winthrop Church may convey its property to said corporation, etc.

Section 5. At any time subsequent to the acceptance of this act, as provided in section one, The Winthrop Church, a religious corporation, incorporated October twenty-first, in the year eighteen hundred and ninety, under chapter four hundred and four of the acts of the year eighteen hundred and eighty-seven and situated in the said Charlestown district, may, by a two thirds vote of its members present and voting at a meeting duly called for the purpose, authorize one or more persons in its name and on its behalf to execute, acknowledge and deliver proper deeds and other instruments conveying in fee simple all of its property, both real and personal, to the corporation created by section one of this act; and upon the acceptance of the said conveyance by the corporation created by section one of this act, by a two thirds

vote of its members present and voting at a meeting duly called for the purpose, and upon the recording in the registry of deeds for the county of Suffolk of the said deeds and other instruments, together with certificates, duly made and sworn to by the clerks of the said meetings, respectively, of the said votes authorizing the said conveyance and the acceptance thereof, the members of the said corporation, The Winthrop Church, shall thereupon become members of the corporation created by section one of this act, with all the rights of any members thereof, and the corporate existence of The Winthrop Church, aforesaid, shall thereupon cease and determine.

Corporation to assume certain duties, liabilities, etc.

SECTION 6. When and if each one of the said two corporations, The Winthrop Church, and the First Parish in the Town of Charlestown, shall, as above provided, convey all its real and personal property to the corporation created by section one of this act, and shall cause to be recorded in the registry of deeds for the county of Suffolk the deeds making such conveyance, and the certificates duly made and sworn to, as aforesaid, of the votes authorizing said conveyance and the acceptance thereof as herein provided, thereupon all property, both real and personal, held by or for the said corporation so conveying, in trust or otherwise, shall be held by the corporation created by section one of this act, upon the same uses and trusts upon which said property was held previous to such conveying and recording, and all property, rights, powers, franchises and privileges which the said corporation so conveying may then possess or enjoy by statute, vote, gift, grant, usage, prescription or otherwise, shall thereupon be vested in the corporation created by section one of this act; and all debts and other obligations of the said corporation so conveying, so far as the same shall be valid, including any obligation arising from any defect in the performance of the act of transfer, authorized as aforesaid, shall be assumed, paid and discharged by the corporation created by section one of this act.

Certain rights not affected.

No rights in pews in the corporation so conveying shall be dissolved or impaired by the provisions of this act, but all such rights owned or held prior to the passage of this act, in or in respect to the corporation so conveying, shall be reassigned for and in place thereof by and in the name of the corporation created by section one of this act.

How trust property or income shall be applied, etc.

SECTION 7. In case of doubt as to the manner in which any property, held in trust or otherwise, conveyed to or vested in the corporation created by section one of this act,

under the provisions of this act, or the income thereof, should be held, administered or applied by the said corporation, the matter may be determined by the supreme judicial court upon the application of any person interested or of the attorney-general; and until said court shall otherwise order, such property and the income thereof shall be held, administered and applied by the said corporation in accordance with the terms of the original trusts or as nearly in accordance therewith as is possible.

The Winthrop Society dissolved.

Section 8. When The Winthrop Church aforesaid shall under the provisions of this act become merged in the corporation created by section one of this act, the corporate existence of the Winthrop Society, incorporated under an act approved March first, in the year eighteen hundred and thirty-three, which has hitherto, under authority conferred by chapter four hundred and four of the acts of the year eighteen hundred and eighty-seven, conveyed all of its property to The Winthrop Church, aforesaid, which conveyance is hereby ratified, confirmed and made valid, shall cease and determine.

Property to be administered as single property, etc.

Section 9. The property conveyed to, or vested in, the corporation created by section one of this act, under the provisions hereof, excepting only such property as prior to such conveyance or vesting may have been held for specific and limited charitable uses and trusts, shall not, after such conveyance and vesting, be applied or apportioned with reference to the source or the religious body aforesaid from which it was derived under the provisions of this act, but shall be administered and applied by the corporation created by section one of this act, for its general church and charitable purposes and as a single consolidated property and fund.

Damages.

Section 10. Any person aggrieved by any provision of this act may, at any time within six months after the recording of such of the various deeds or other instruments in this act provided for, as is alleged to be the cause of such injury, apply by petition to the supreme judicial court, to have his damages determined by a jury therein, or by or under the direction of said court; and damages so awarded, with the costs of suit allowed by statute in civil cases, attending such award, shall be paid by the corporation created by section one of this act.

Records, books, etc.

Section 11. The records, books of account and other papers of the several bodies merged in the corporation created by section one of this act shall be the property of the said

corporation, — of the said Winthrop Society and of The Winthrop Church aforesaid, when the latter body is so merged, and of the said First Parish in the Town of Charlestown when it is so merged.

First meeting.

SECTION 12. The first meeting of the corporation created by section one of this act shall be held within thirty days after the acceptance of this act as provided in section one hereof, and shall be warned by a notice in writing signed by one or more members of the said corporation, stating the object, time and place of the meeting, posted on the outer door of the meetinghouse of the said First Parish in the Town of Charlestown, at least fourteen days before the meeting. At such meeting the said corporation shall elect a moderator, a treasurer and a clerk, who shall be sworn, and such other officers, and shall adopt such by-laws, prescribing the time for holding its annual meeting, the manner in which persons may become members, and such other provisions, not inconsistent with this act or with the general laws of this commonwealth regarding religious corporations, as the said corporation may determine.

Officers, by-laws, etc.

Gifts, grants, etc.

SECTION 13. All gifts, grants, bequests and devises made or accruing to, or for the benefit of, the said First Parish in the Town of Charlestown, or of the church or any of the officers, affiliated with it, or The Winthrop Church aforesaid, after the merger in the corporation created by section one of this act, of the body or its officers aforesaid, receiving such gift, grant, devise or bequest, shall vest in the corporation created by section one of this act.

SECTION 14. This act shall take effect upon its passage.

Approved February 14, 1913.

Chap. 85 AN ACT TO PROVIDE FOR THE SUMMONING OF WITNESSES TO ATTEND AND TESTIFY BEFORE CERTAIN BOARDS AND OFFICERS.

Be it enacted, etc., as follows:

R. L. 175, § 8, etc., amended.

SECTION 1. Section eight of chapter one hundred and seventy-five of the Revised Laws, as amended by section one of chapter three hundred and twenty-eight of the acts of the year nineteen hundred and seven, is hereby further amended by inserting after the word "commissioners", in the seventh line, the words: — commissioner of public safety, — by striking out the word "or", in the seventeenth

line, and by inserting after the word "board", in the seventeenth line, the words: — or commission, — by striking out the word "or", after the word "committee", in the nineteenth line, and by inserting after the word "board", in the same line, the words: — or commission, — so as to read as follows: — *Section 8.* Witnesses may be summoned to attend and testify and to produce books and papers at a hearing before a city council, or either branch thereof, or before a joint or special committee of the same or of either branch thereof, or before a board of selectmen or a board of police commissioners, or a fire commissioner or a board of fire commissioners, commissioner of public safety, or a school board, or a licensing board for the granting of licenses for intoxicating liquors, or a board of registrars of voters, or before the board of police or of election commissioners for the city of Boston at any hearing before them, as to matters within their authority; and such witnesses shall be summoned in the same manner, be paid the same fees and be subject to the same penalties for default, as witnesses before police, district and municipal courts. The presiding officer of such council, or of either branch thereof, or a member of any such committee, board or commission may administer oaths to witnesses who appear before such council, or either branch thereof, or any such committee, board or commission, respectively.

Witnesses before city and town officials.

Section 2. This act shall take effect upon its passage.

Approved February 17, 1913.

An Act making an appropriation for the compensation and expenses of the commission on gratuities for veteran soldiers and sailors who volunteered their services in the civil war. *Chap.* 86

Be it enacted, etc., as follows:

Section 1. The sum of five thousand dollars is hereby appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, for the compensation and expenses of the commission on gratuities for veteran soldiers and sailors who volunteered their services in the civil war.

Commission on gratuities for veteran soldiers and sailors, compensation, etc.

Section 2. This act shall take effect upon its passage.

Approved February 17, 1913.

Chap. 87 AN ACT TO INCREASE THE NUMBER OF THE TRUSTEES OF THE EPISCOPAL THEOLOGICAL SCHOOL.

Be it enacted, etc., as follows:

1867, 333, § 2, etc., amended.

SECTION 1. Section two of chapter three hundred and thirty-three of the acts of the year eighteen hundred and sixty-seven, as amended by chapter thirty-seven of the acts of the year eighteen hundred and eighty-nine, is hereby further amended by striking out the word "seven", in the second line, and inserting in place thereof the word: — nine, — so as to read as follows: — *Section 2.* The number of said trustees shall be nine, and in case of any vacancy caused by the death, resignation or removal of any trustee, a new trustee shall be elected by the surviving or remaining trustees; and any trustee may be removed from office by the unanimous vote of all the remaining trustees. Said trustees may appoint such officers as they think fit for the management of the affairs of the corporation, and they shall appoint all professors, lecturers, tutors and instructors in the said school, prescribe their duties, and fix their salaries and tenure of office.

Trustees, number, duties, etc.

SECTION 2. This act shall take effect upon its passage.

Approved February 17, 1913.

Chap. 88 AN ACT TO AUTHORIZE THE FIRST CONGREGATIONAL (UNITARIAN) SOCIETY OF LEOMINSTER TO HOLD ADDITIONAL REAL AND PERSONAL ESTATE.

Be it enacted, etc., as follows:

The First Congregational (Unitarian) Society of Leominster may receive and hold certain property.

SECTION 1. The First Congregational (Unitarian) Society of Leominster is hereby authorized to receive and hold in trust, the property devised and bequeathed to said society by the will of Manson D. Haws, late of said Leominster, deceased, in addition to the property now held by the society, and to use the income thereof for the purpose set forth in the said will.

SECTION 2. This act shall take effect upon its passage.

Approved February 17, 1913.

AN ACT TO AUTHORIZE THE TRUSTEES OF THE THOMAS CRANE PUBLIC LIBRARY TO HOLD ADDITIONAL REAL AND PERSONAL ESTATE. *Chap.* 89

Be it enacted, etc., as follows:

The Thomas Crane public library may hold, etc., additional real and personal estate.

The trustees of the Thomas Crane public library of Quincy are hereby authorized to take and hold real and personal estate to an amount not exceeding seven hundred and fifty thousand dollars, which may be given, granted, conveyed, bequeathed or devised to it and accepted by the trustees for the benefit of the public library of the city of Quincy or for any purpose connected therewith: *provided*, that both the principal and income thereof shall be appropriated in accordance with the terms of the gift, devise or bequest, under the direction of said corporation.

Proviso.

Approved February 17, 1913.

AN ACT TO AUTHORIZE THE TOWN OF NORWOOD TO INCUR ADDITIONAL INDEBTEDNESS FOR SEWERAGE PURPOSES. *Chap.* 90

Be it enacted, etc., as follows:

Norwood Sewerage Loan, Act of 1913.

SECTION 1. The town of Norwood, for the purposes mentioned in chapter three hundred and eleven of the acts of the year nineteen hundred and one, and for the extension of its system of sewerage, may incur indebtedness to an amount not exceeding fifty thousand dollars, in addition to the amount authorized by said chapter, and may issue therefor from time to time bonds or notes which shall not be reckoned in determining the statutory limit of indebtedness of the town. Such bonds or notes shall bear on their face the words, Norwood Sewerage Loan, Act of 1913, shall be payable within periods not exceeding thirty years from the issuing thereof, and shall bear interest, payable semi-annually, at a rate not exceeding four per cent per annum. They shall be signed by the treasurer of the town and countersigned by a majority of the sewer commissioners. The town may from time to time sell such securities, or any part thereof, at public or private sale, but they shall not be sold for less than their par value. The proceeds thereof shall be retained in the treasury, and the treasurer shall, upon the order of the board of sewer commissioners, pay therefrom the expenses incurred for the purposes mentioned in this section.

Payment of loan.

SECTION 2. The town shall at the time of authorizing said loan provide for the payment thereof in such annual proportionate payments as will extinguish the same within the time specified in this act; and when a vote to that effect has been passed the amount required thereby, and also the amount required to pay the interest on the loan, less the amount that may be appropriated therefor under the provisions of section eleven of said chapter three hundred and eleven shall, without further vote, be assessed by the assessors of the town in each year thereafter in the same manner in which other taxes are assessed until the debt incurred by said loan is extinguished.

SECTION 3. This act shall take effect upon its passage.

Approved February 17, 1913.

Chap. 91 AN ACT TO AUTHORIZE THE WARDENS, VESTRY AND PROPRIETORS OF ST. STEPHEN'S CHURCH IN PITTSFIELD TO HOLD ADDITIONAL REAL AND PERSONAL ESTATE.

Be it enacted, etc., as follows:

The Wardens, etc., of St. Stephen's Church in Pittsfield may hold real and personal estate, etc.

SECTION 1. The Wardens, Vestry and Proprietors of St. Stephen's Church in Pittsfield are hereby authorized to hold real and personal estate to an amount not exceeding three hundred and fifty thousand dollars, which property and the income derived from it shall be devoted to the purposes set forth in its charter, or to other church purposes.

SECTION 2. This act shall take effect upon its passage.

Approved February 17, 1913.

Chap. 92 AN ACT TO AUTHORIZE THE CITY OF FITCHBURG TO INCUR INDEBTEDNESS FOR THE PURPOSE OF CONSTRUCTING A SYSTEM OF SEWAGE DISPOSAL.

Be it enacted, etc., as follows:

The city of Fitchburg may incur indebtedness for sewerage purposes.

SECTION 1. The city of Fitchburg, for the purpose of constructing a system of sewage disposal, as authorized by chapter three hundred and fifty-four of the acts of the year nineteen hundred and one, by chapter four hundred and sixty-one of the acts of the year nineteen hundred and ten and by chapter four hundred and forty of the acts of the year nineteen hundred and twelve, may incur indebtedness, beyond the limit fixed by law to an amount not exceeding five hundred thousand dollars, in addition to the amount authorized by said chapter three hundred and fifty-four,

and may issue, from time to time, bonds, notes or scrip therefor. Such bonds, notes or scrip shall be payable within such periods, not exceeding thirty years from the dates of issue, and shall bear such rate of interest, not exceeding four and one half per cent per annum, payable semi-annually, as the city council shall determine.

Payment of loan.

Section 2. The city council of said city shall, at the time of authorizing said loan, provide for the payment thereof in such annual proportionate payments as will extinguish the same within the time prescribed in this act; and thereafter, without further action by the city council, the amount required for such payments shall annually be assessed by the assessors of the city, in the same manner in which other taxes are assessed, until the debt incurred by the said loan is extinguished.

Section 3. This act shall take effect upon its passage.

Approved February 17, 1913.

An Act relative to books and reports distributed by the commonwealth to city and town libraries. *Chap.* 93

Be it enacted, etc., as follows:

Distribution of books, etc., to certain libraries may be discontinued.

Section 1. In case the trustees of any city or town library shall vote not to keep or receive any of the books and reports which the secretary of the commonwealth is authorized to send to such library, the secretary of the commonwealth, at the request of the commissioner of public records, may discontinue sending such books and reports.

Books, etc., may be returned, etc.

Section 2. Any of said books and reports now in the custody of any city or town library may be returned at its expense to the state library, or may otherwise be exchanged or disposed of with the sanction of the board of free public library commissioners.

Section 3. This act shall take effect upon its passage.

Approved February 17, 1913.

An Act to authorize the town of Millbury to pay a sum of money to Martin J. Roach. *Chap.* 94

Be it enacted, etc., as follows:

Martin J. Roach.

The town of Millbury is hereby authorized to compensate Martin J. Roach for services and for expenses incurred in sprinkling the streets of said town in the year nineteen hundred and eleven. *Approved February 17, 1913.*

Chap. 95 AN ACT RELATIVE TO THE OPERATION OF MOTOR VEHICLES BY NON-RESIDENTS.

Be it enacted, etc., as follows:

1909, 534, § 20, amended.

SECTION 1. Section twenty of chapter five hundred and thirty-four of the acts of the year nineteen hundred and nine is hereby amended by adding at the end thereof the following: — The commission, under the same conditions and for the same causes for which it may suspend or revoke any license issued by it, may also suspend the right of any non-resident of Massachusetts to operate motor vehicles in this state until he shall have received a license from the commission; and the provisions of section twenty-one of this act shall apply to any such person who operates a motor vehicle in this state after notice of such suspension has been issued and received by him or by his agent or employer, — so as to read as follows: — *Section 20.* The commission may suspend or revoke any certificate of registration or any license issued to any person under the provisions of this act, after due hearing, for any cause which it may deem sufficient, and the commission may suspend the license of any operator or chauffeur in its discretion and without a hearing, and may order the license to be delivered to it, whenever it has reason to believe that the holder thereof is an improper or incompetent person to operate motor vehicles, or is operating improperly or so as to endanger the public; and neither the certificate of registration nor the license shall be reissued unless, upon examination or investigation, or after a hearing, the commission determines that the operator or chauffeur should again be permitted to operate. The commission, under the same conditions and for the same causes for which it may suspend or revoke any license issued by it, may also suspend the right of any non-resident of Massachusetts to operate motor vehicles in this state until he shall have received a license from the commission; and the provisions of section twenty-one of this act shall apply to any such person who operates a motor vehicle in this state after notice of such suspension has been issued and received by him or by his agent or employer.

Certificates may be suspended or revoked, etc.

SECTION 2. This act shall take effect upon its passage.

Approved February 17, 1913.

An Act to provide for assistant assessors in the town of Westfield. *Chap.* 96

Be it enacted, etc., as follows:

Section 1. The assessors of the town of Westfield shall, after the next annual town meeting for choice of town officers and in the month of March next ensuing, elect from the legal voters of said town assistant assessors, each of them to serve for one year from the date of his election, and until his successor is elected and qualified; and thereafter, the assessors of said town shall annually, after the annual town meeting in that year and in the month of March, elect from the legal voters assistant assessors, each of them to serve for one year from the date of his election, and until his successor is elected and qualified. The said assistant assessors shall be sworn to the faithful performance of their duties and shall have the powers and perform the duties prescribed by law for assistant assessors. The assessors shall, prior to the first election of the assistant assessors and from time to time thereafter, as may be convenient or necessary, divide the said town into districts for assessing taxes, and an assistant assessor shall be chosen for each of said districts. In case of a vacancy occurring before the expiration of the term of any assistant assessor, the assessors shall have power to fill the vacancy for the unexpired term. The compensation of the assistant assessors shall be fixed by the assessors.

Assistant assessors in the town of Westfield, election, term, etc.

Vacancy, etc.

Section 2. This act shall take effect upon its passage.

Approved February 17, 1913.

An Act to authorize the town of Edgartown to appropriate money for advertising the town. *Chap.* 97

Be it enacted, etc., as follows:

Section 1. The town of Edgartown may, by a two thirds vote at any annual town meeting after legal notice thereof in the warrant calling the meeting, appropriate a sum not exceeding three hundred dollars for the purpose of advertising the advantages of the town as a place of residence or summer resort.

The town of Edgartown may appropriate money for advertising purposes.

Section 2. This act shall take effect upon its passage.

Approved February 17, 1913.

Chap. 98 AN ACT TO PROHIBIT FISHING OR THE SETTING OF NETS IN THE MAIN SHIP CHANNELS IN BOSTON HARBOR.

Be it enacted, etc., as follows:

Fishing, etc., in certain places in Boston harbor prohibited.

SECTION 1. It shall be unlawful to fish or for that purpose to set any line trawl, seine or net of any kind in the main ship channels in Boston harbor.

Term defined.

SECTION 2. For the purposes of this act the term "main ship channels" shall mean that part of the harbor in which the anchoring of vessels is forbidden by the regulations of the harbor master.

Penalty.

SECTION 3. Whoever violates the provisions of this act shall be punished by a fine of not more than one hundred dollars, or by imprisonment for a term not exceeding three months, or by both such fine and imprisonment.

Approved February 17, 1913.

Chap. 99 AN ACT TO AUTHORIZE THE TOWN OF RUTLAND TO APPROPRIATE MONEY FOR AN ANNIVERSARY CELEBRATION.

Be it enacted, etc., as follows:

The town of Rutland may appropriate money for an anniversary celebration.

The town of Rutland is hereby authorized to raise by taxation and appropriate such amount of money as may be authorized by a two thirds vote of the voters of the town voting thereon at an annual town meeting or at a special meeting duly called for the purpose, for the celebration in the year nineteen hundred and fourteen of the two hundredth anniversary of the founding of the town, and for publishing an account of the celebration.

Approved February 17, 1913.

Chap. 100 AN ACT MAKING APPROPRIATIONS FOR THE MAINTENANCE OF THE MASSACHUSETTS SCHOOL FOR THE FEEBLE-MINDED.

Be it enacted, etc., as follows:

Appropriations, Massachusetts School for the Feeble-Minded.

SECTION 1. The sums hereinafter mentioned are appropriated, for the maintenance of the Massachusetts School for the Feeble-Minded, for the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen, to wit: —

From the receipts of said school now in the treasury of the commonwealth, the sum of seventeen thousand nine hundred twenty-seven dollars and fifty-four cents; and from the treasury of the commonwealth from the ordinary revenue,

a sum not exceeding two hundred eighty-five thousand seventy-two dollars and forty-six cents.

For the city of Waltham for the annual assessment due from the commonwealth toward maintaining and operating a system of sewage disposal at the Massachusetts School for the Feeble-Minded, the sum of eight hundred twenty dollars and eighty-nine cents, as provided for by section three of chapter eighty-three of the acts of the year eighteen hundred and ninety-three. Sewage disposal.

Section 2. This act shall take effect upon its passage.

Approved February 17, 1913.

An Act making appropriations for the maintenance of the Westfield state sanatorium. *Chap.* 101

Be it enacted, etc., as follows:

Section 1. The sums hereinafter mentioned are appropriated, for the maintenance of the Westfield state sanatorium, for the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen, to wit: — Westfield state sanatorium, maintenance.

From the receipts of said sanatorium now in the treasury of the commonwealth, the sum of twenty-six thousand four hundred forty-eight dollars and fifty-one cents; and from the treasury of the commonwealth from the ordinary revenue, a sum not exceeding sixty-two thousand fifty-one dollars and forty-nine cents.

Section 2. This act shall take effect upon its passage.

Approved February 17, 1913.

An Act making appropriations for the maintenance of the North Reading state sanatorium. *Chap.* 102

Be it enacted, etc., as follows:

Section 1. The sums hereinafter mentioned are appropriated, for the maintenance of the North Reading state sanatorium, for the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen, to wit: — North Reading state sanatorium, maintenance.

From the receipts of said sanatorium now in the treasury of the commonwealth, the sum of twenty-two thousand two hundred twenty-one dollars and forty-six cents; and from the treasury of the commonwealth from the ordinary revenue, a sum not exceeding sixty thousand six hundred forty-three dollars and fifty-four cents.

Section 2. This act shall take effect upon its passage.

Approved February 17, 1913.

*Chap.*103 AN ACT MAKING APPROPRIATIONS FOR THE MAINTENANCE OF THE NORTHAMPTON STATE HOSPITAL.

Be it enacted, etc., as follows:

Northampton state hospital, maintenance.

SECTION 1. The sums hereinafter mentioned are appropriated, for the maintenance of the Northampton state hospital, during the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen, to wit: —

From the receipts of said hospital now in the treasury of the commonwealth, the sum of fifty-one thousand nine hundred fifty-three dollars and nineteen cents; and from the treasury of the commonwealth from the ordinary revenue, a sum not exceeding one hundred thirty-four thousand two hundred forty-six dollars and eighty-one cents.

SECTION 2. This act shall take effect upon its passage.

Approved February 17, 1913.

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*Chap.*104 AN ACT MAKING APPROPRIATIONS FOR THE MAINTENANCE OF THE RUTLAND STATE SANATORIUM.

Be it enacted, etc., as follows:

Rutland state sanatorium, maintenance.

SECTION 1. The sums hereinafter mentioned are appropriated, for the maintenance of the Rutland state sanatorium, for the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen, to wit: —

From the receipts of said sanatorium now in the treasury of the commonwealth, the sum of fifty thousand two hundred sixty-eight dollars and ninety-four cents; and from the treasury of the commonwealth from the ordinary revenue, a sum not exceeding one hundred thirty-two thousand seven hundred thirty-one dollars and six cents.

SECTION 2. This act shall take effect upon its passage.

Approved February 17, 1913.

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*Chap.*105 AN ACT IN ADDITION TO AN ACT TO PROVIDE FOR SUITABLY REWARDING CERTAIN VETERAN SOLDIERS AND SAILORS.

Be it enacted, etc., as follows:

1912, 702, § 7, amended.

SECTION 1. Section seven of chapter seven hundred and two of the acts of the year nineteen hundred and twelve is hereby amended by striking out the words "one hundred and fifty thousand", in the seventh line, and inserting in place thereof the words: — seven hundred thousand, — so as to read

as follows: — *Section 7.* The expenditures to be made under authority of this act shall be taken from the Massachusetts Volunteer Fund, and if the fund shall not be sufficient for the purpose, the treasurer and receiver general, with the advice and consent of the governor and council, may from time to time issue bonds of the commonwealth to an amount not exceeding seven hundred thousand dollars. Such bonds shall be issued for terms of not more than ten years, shall be sold or disposed of in such manner and at such times and prices, and in such amounts and at such rates of interest, not exceeding four per cent per annum, as the treasurer, with the approval of the governor and council, may determine.

Expenditures to be taken from the Massachusetts Volunteer Fund.

Section 2. This act shall take effect upon its passage.

Approved February 17, 1913.

An Act making appropriations for the maintenance of the Medfield state asylum. *Chap.* 106

Be it enacted, etc., as follows:

Section 1. The sums hereinafter mentioned are appropriated, for the maintenance of the Medfield state asylum, for the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen, to wit: —

Medfield state asylum, maintenance.

From the receipts of said asylum now in the treasury of the commonwealth, the sum of thirteen thousand nine hundred forty-three dollars and four cents; and from the treasury of the commonwealth from the ordinary revenue, a sum not exceeding three hundred forty-three thousand six hundred fifty-four dollars and ninety-six cents.

Section 2. This act shall take effect upon its passage.

Approved February 17, 1913.

An Act making appropriations for the maintenance of the Monson state hospital. *Chap.* 107

Be it enacted, etc., as follows:

Section 1. The sums hereinafter mentioned are appropriated, for the maintenance of the Monson state hospital, during the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen, to wit: —

Monson state hospital, maintenance.

From the receipts of said hospital now in the treasury of the commonwealth, the sum of fourteen thousand four hundred ninety-seven dollars and seventy-six cents; and

from the treasury of the commonwealth from the ordinary revenue, a sum not exceeding two hundred nineteen thousand eight hundred twenty-seven dollars and twenty-four cents.

SECTION 2. This act shall take effect upon its passage.

Approved February 17, 1913.

Chap. 108 AN ACT TO ESTABLISH THE OFFICE OF COMPTROLLER OF ACCOUNTS OF THE CITY OF NEWTON.

Be it enacted, etc., as follows:

Comptroller of accounts of the city of Newton, election, term, etc.

SECTION 1. The office of comptroller of accounts of the city of Newton is hereby established. The comptroller of accounts shall have charge and oversight of the accounts and bookkeeping of the city of Newton and of the various departments thereof, and shall have such other powers and duties as the board of aldermen of the city may by ordinance prescribe. He shall be elected by the board of aldermen. The term of office of the first comptroller of accounts chosen hereunder shall be for the term of two years from the succeeding second Monday in February, or until his successor is elected and qualified. Thereafter the term of office shall be three years from the second Monday of February, or until a successor is elected and qualified. The comptroller of accounts may be removed by vote of a majority of all the

Vacancy.

members of the board of aldermen taken by ballot. A vacancy in the office shall be filled in the same manner, and the person elected shall hold office until the end of the unexpired term, unless removed as herein provided, and until his successor is elected and qualified.

Office of city auditor abolished.

The office of city auditor of the city of Newton is hereby abolished.

Time of taking effect.

SECTION 2. This act shall take effect upon its acceptance by the board of aldermen of the city.

Approved February 17, 1913.

Chap. 109 AN ACT TO AUTHORIZE THE CITY OF BROCKTON TO COMPENSATE THE MEMBERS OF ITS CITY COUNCIL.

Be it enacted, etc., as follows:

Compensation of members of city council of Brockton.

SECTION 1. The city of Brockton is hereby authorized to appropriate annually a sum of money sufficient to pay each member of the board of aldermen a salary of three hundred dollars, and each member of the common council a salary of one hundred dollars.

Section 2. This act shall be submitted to the voters of the city of Brockton at the annual city election in the current year, and shall take effect upon its acceptance by a majority of the voters voting thereon; otherwise it shall not take effect. *Approved February 17, 1913.*

Act to be submitted to voters.

An Act relative to the boston insurance company. *Chap.* 110

Be it enacted, etc., as follows:

Section 1. Section two of chapter one hundred and two of the acts of the year eighteen hundred and eighty-six which authorizes the Boston Marine Insurance Company, a corporation the name of which was changed on the first day of April, eighteen hundred and ninety-eight, to the Boston Insurance Company, to invest a part of its assets in real estate, is hereby repealed.

1886, 102, § 2, repealed.

Section 2. This act shall take effect upon its passage. *Approved February 17, 1913.*

An Act to authorize the town of east bridgewater to purchase a part of the property of the bridgewaters water company and to supply itself and its inhabitants with water. *Chap.* 111

Be it enacted, etc., as follows:

Section 1. The town of East Bridgewater by the action of its selectmen, ratified by a majority of its voters present and voting at a town meeting at which the voting list shall be used, may for the purpose of supplying water to its inhabitants, purchase of the Bridgewaters Water Company, the mains, pipes, hydrants, and other corporate property of said company, located within the limits of said town of East Bridgewater, together with the franchise and charter rights and privileges pertaining thereto so far as the same relate to that part of the equipment of said company, lying within the limits of said town; and the said town of East Bridgewater may contract with the said Bridgewaters Water Company, for a supply of water for the extinguishment of fires and for domestic, manufacturing and other purposes, upon such terms and conditions as may be agreed upon by said town and company; and may establish fountains and hydrants and relocate or discontinue the same; and may regulate the use of such water and fix and collect rates to be paid therefor.

The town of East Bridgewater may supply itself with water, etc.

May erect structures, lay pipes, etc.

SECTION 2. Said town for the purpose of receiving, holding and distributing the said water, may install service pipes, meters and other necessary connections and lay or construct, and maintain pipes and such other works and structures as may be necessary under or over any lands, water courses, railroads, railways, and public or other ways, and along any way in the town of East Bridgewater, in such manner as not unnecessarily to obstruct the same, and for the purpose aforesaid the said town may dig up any such lands or ways in such manner as to cause the least hindrance to public travel; and all things done upon any such way shall be subject to the direction of the selectmen of said town.

May take lands, etc.

The said town may also take, or acquire by lease, purchase or otherwise, and may hold, all lands, rights of way and easements in the said town necessary for receiving, holding and distributing the said water.

Description of lands, etc., taken to be recorded.

SECTION 3. Said town shall within ninety days after the taking of any such lands, rights of way or easements as aforesaid, file and cause to be recorded in the registry of deeds for the district in which the same are situated, a description thereof sufficiently accurate for identification, with a statement of the purpose for which the same were taken, signed by the water commissioners hereinafter provided for.

Damages.

SECTION 4. Said town shall pay all damages to property sustained by any person or corporation by the taking of any land, right of way or easement, or by any other thing done by said town under authority of this act. Any person or corporation sustaining damages as aforesaid, and unable to agree with the said town upon the amount thereof, may have them assessed in the manner provided by law with respect to land taken for the laying out of highways. Any application for the assessment of damages arising under this act shall be made within two years after the doing of such damage.

Town of East Bridgewater, Water Loan, 1913.

SECTION 5. Said town, for the purpose of paying the necessary expenses and liabilities incurred under the provisions of this act, may issue from time to time bonds, notes or scrip to an amount not exceeding one hundred and five thousand dollars. Such bonds, notes or scrip shall bear on their face the words, Town of East Bridgewater, Water Loan, 1913; shall be payable at the expiration of periods not exceeding thirty years from the dates of issue; shall bear interest, payable semi-annually, at a rate not exceeding five per cent per annum; and shall be signed by the treasurer of

the town and countersigned by a majority of the selectmen. The town may sell such securities at public or private sale, or pledge the same for money borrowed for the purposes of this act, upon such terms and conditions as it may deem proper: *provided*, that the securities shall not be sold for less than the par value thereof. Proviso.

Section 6. Said town shall at the time of authorizing each issue of such bonds, notes or scrip, provide for the payment thereof in such annual proportionate payments, beginning not more than one year after the date of such issue, as will extinguish the same within the time prescribed by this act; and when a vote to that effect has been passed, a sum which with the income derived from the water rates will be sufficient to pay the annual expenses of operating its water works and the interest as it accrues on the bonds, notes or scrip issued as aforesaid by said town, and to make such payments on the principal as may be required under the provisions of this act, shall without further vote be assessed by the assessors of the town in each year thereafter in the same manner in which other taxes are assessed, until the debt incurred by said loan is extinguished. Payment of loan.

Section 7. Whoever wilfully or wantonly corrupts, pollutes or diverts any water taken or held under this act, or injures any structure, work or other property owned, held or used by said town under authority of this act, shall forfeit and pay to the town three times the amount of damages assessed therefor, to be recovered in an action of tort; and upon being convicted of any of the above wilful or wanton acts shall be punished by a fine not exceeding three hundred dollars or by imprisonment in jail for a term not exceeding one year. Penalty, etc., for pollution, etc., of water, etc.

Section 8. The town of East Bridgewater at the next annual town meeting in the year nineteen hundred and thirteen, or at any other meeting duly called for the purpose, may elect three persons who shall constitute a board of water commissioners of said town, one of whom shall hold office until the expiration of three years, one until the expiration of two years, and one until the expiration of one year from the next succeeding annual meeting and until their respective successors are chosen and qualified; and at each annual election of town officers thereafter, one such commissioner shall be elected by ballot who shall hold office for three years and until his successor is elected and qualified. In case of a vacancy, said town may at any time hold a meeting to elect Water commissioners, election, terms, etc. Vacancy.

a commissioner to hold office for the unexpired term of the commissioner retiring. Any vacancy in the board may be filled temporarily by a majority vote of the selectmen and the person so appointed shall hold office until the town fills the vacancy in the manner herein provided for.

Authority, etc.

All authority granted to said town by this act or by law, not otherwise specifically provided for, shall be vested in the said board of water commissioners, who shall however, in matters relating to any water works constructed or maintained by the said town, be subject to such instructions, rules and regulations as the town may impose by its vote.

Water rates, etc.

Said board shall fix just and equitable prices for the use of water and shall prescribe the time and manner of payment. But said rates, and time and manner of payment shall be subject to revision and change by the voters of said town at any annual town meeting at which an article shall be in the warrant for the consideration of said matters.

Commissioners to make report, etc.

The income of the water works shall be used to defray all operating expenses, interest charges and payments on the principal as they accrue upon any bonds, notes or scrip issued under authority of this act. Said board of water commissioners shall annually and as often as the town may require render a report upon the condition of the works under their charge and an account of their doings, including an account of receipts and expenditures.

Quorum.

A majority of said commissioners shall constitute a quorum for the transaction of business.

Repeal.

SECTION 9. All provisions of sections eight, nine, ten, eleven, twelve and thirteen of chapter one hundred and ninety-two of the acts of the year eighteen hundred and eighty-seven which are inconsistent herewith are hereby repealed.

Time of taking effect.

SECTION 10. This act shall take effect upon its passage, but shall become void unless action is taken thereunder by the town of East Bridgewater within one year from the date of its passage. *Approved February 17, 1913.*

Chap. 112 AN ACT RELATIVE TO THE PLACING OF PAUPER CHILDREN IN FAMILIES.

Be it enacted, etc., as follows:

R. L. 81, § 7, etc., amended.

SECTION 1. Section seven of chapter eighty-one of the Revised Laws, as amended by section two of chapter three hundred and three of the acts of the year nineteen hundred

and five, is hereby further amended by striking out the word "five", in the sixth line, and inserting in place thereof the word: — three, — so as to read as follows: — *Section 7.* No such child who can be cared for as provided in section five without inordinate expense shall be retained in an almshouse unless he is a state pauper or an idiot, or otherwise so defective in body or mind as to make his retention in an almshouse desirable, or unless he is under the age of three years and his mother is an inmate thereof and is a suitable person to aid in taking care of him.

Certain children not to be retained in almshouses.

Section 2. This act shall take effect upon its passage.

Approved February 17, 1913.

An Act to protect and perpetuate a certain alewife fishery in the town of Sandwich. *Chap.* 113

Be it enacted, etc., as follows:

Section 1. Alexander K. Crocker of Barnstable, his heirs and assigns, shall have for the term of ten years from May ninth, nineteen hundred and fourteen, the exclusive right to take and catch alewives in the stream known as "Mill River", from its sources in the "Shawme Lakes or Ponds", so-called, through the marshes in the town of Sandwich to the waters of Cape Cod bay: *provided,* that the said Crocker, his heirs and assigns, shall construct and maintain a good and sufficient passageway over or around the dam or dams which now are or may hereafter be erected upon said stream to enable fish to enter the ponds above such dam or dams, and shall keep such passageway open and unobstructed from the first day of April to the fourteenth day of June, inclusive, of each year.

Taking, etc., of alewives in Mill River regulated.

Proviso.

Section 2. Said Crocker, and his heirs and assigns, may catch alewives during two thirds of the period specified in section one, that is to say, upon fifty days out of the seventy-five days between the first day of April and the fourteenth day of June, inclusive, of each year.

Right granted to certain persons.

Section 3. Any person taking alewives in said Mill river or in the said lakes or ponds without the written consent of the said Crocker, or of his heirs and assigns, shall, upon the complaint of said Crocker, or of his or any of his heirs or assigns, or of any person in his behalf, forfeit not less than ten nor more than twenty dollars for each offence. Half of every such forfeiture shall be paid to said Crocker or to his heirs or assigns.

Penalty.

Disposition of forfeitures.

Approved February 17, 1913.

Chap. 114 AN ACT RELATIVE TO VAGABONDS AND PERSONS ACTING SUSPICIOUSLY.

Be it enacted, etc., as follows:

R. L. 212, § 61, amended.

Section sixty-one of chapter two hundred and twelve of the Revised Laws is hereby amended by striking out the words "and having no visible or lawful means of support, if found prowling", in the second and third lines, and inserting in place thereof the words: — if acting in a suspicious manner, — and by inserting after the word "depot", in the third line, the words: — or any electric railway station, or place where electric railway cars stop for the purpose of allowing passengers to enter or leave the cars, — so as to read as follows: — *Section 61.* A person who is known to be a pickpocket, thief or burglar, if acting in a suspicious manner around any steamboat landing, railroad depot, or any electric railway station, or place where electric railway cars stop for the purpose of allowing passengers to enter or leave the cars, banking institution, broker's office, place of public amusement, auction room, store, shop, crowded thoroughfare, car or omnibus, or at any public gathering or assembly, shall be deemed a vagabond, and shall be punished by imprisonment in the house of correction for not less than four nor more than twelve months.

Certain persons to be deemed vagabonds.

Punishment.

Approved February 17, 1913.

Chap. 115 AN ACT TO AUTHORIZE THE FIRST CHURCH OF CHRIST, SCIENTIST, IN BOSTON, TO TAKE AND HOLD PROPERTY UNDER THE WILL OF MARY BAKER G. EDDY.

Be it enacted, etc., as follows:

The First Church of Christ, Scientist, in Boston, may take, etc., certain real and personal estate, etc.

SECTION 1. The First Church of Christ, Scientist, in Boston, is hereby authorized to take and hold the real and personal estate devised and bequeathed to it by the will, duly admitted to probate, of its founder, Mary Baker G. Eddy, late of Concord, New Hampshire, deceased; to be held and administered by its board of directors subject to the trusts created by said will.

SECTION 2. This act shall take effect upon its passage.

Approved February 18, 1913.

An Act relative to the punishment of offences under the motor vehicle law. *Chap.* 116

Be it enacted, etc., as follows:

Section 1. Section eighteen of chapter five hundred and thirty-four of the acts of the year nineteen hundred and nine is hereby amended by striking out the words "less than ten dollars nor", in the seventh and eighth lines, so as to read as follows: — *Section 18.* Any person convicted of a violation of any provision of this act, or who is convicted of the violation of any rule or regulation of the Massachusetts highway commission made under authority of section twenty-seven, or who is convicted of a violation of a special speed regulation lawfully made under authority of section seventeen, may be punished by a fine of not more than twenty-five dollars for the first offence and not less than twenty-five dollars nor more than fifty dollars for a second offence, and not less than fifty dollars nor more than one hundred dollars for subsequent offences committed during any period of twelve months. A complaint against a person for the violation of sections eleven, sixteen or seventeen of this act may be placed on file at the discretion of the court or trial justice if the violation appears to have been unintentional or if no person or property could have been endangered thereby. Upon a third or subsequent conviction in the same calendar year of a violation of section sixteen or of section seventeen of this act the commission shall forthwith revoke the license of the person so convicted, and no new license shall be issued to such person for at least thirty days after the date of such conviction, nor thereafter except in the discretion of said commission.

1909, 534, § 18, amended.

Penalties and punishments.

Section 2. This act shall take effect upon its passage.

Approved February 18, 1913.

An Act relative to the cemetery department of the city of Boston. *Chap.* 117

Be it enacted, etc., as follows:

Section 1. The cemetery trustees of the city of Boston shall pay into the treasury of the city all receipts of the cemetery department from all sources other than from deposits for perpetual care.

Receipts of cemetery department of the city of Boston to be paid into the city treasury.

Investments, etc.

SECTION 2. The city treasurer shall keep the funds so deposited by the cemetery trustees separate from other money and accounts of the city, and the city treasurer is hereby authorized to invest and re-invest all funds so deposited by the cemetery trustees in proper securities, and shall allow such funds and the income thereof to accumulate until such time as the income of the fund is sufficient, in the opinion of the mayor and of the cemetery trustees, to meet the current expenses and expenditures of the cemetery department: *provided, however,* that at any time the mayor may originate an appropriation for the cemetery department to be met out of the income of said fund accruing during a fiscal year.

Proviso.

SECTION 3. This act shall take effect upon its passage.

Approved February 18, 1913.

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*Chap.*118 AN ACT TO AUTHORIZE THE CITY OF LYNN TO GRANT A CEMETERY LOT TO THE RELIEF ASSOCIATION OF THE LYNN FIRE DEPARTMENT.

Be it enacted, etc., as follows:

Conveyance of certain cemetery lot in the city of Lynn, etc.

SECTION 1. The city of Lynn may, if so authorized by vote of its municipal council, convey by deed, without compensation, to the relief association of the Lynn fire department, a lot in Pine Grove cemetery in Lynn, suitable for the interment of deceased members of the said association.

SECTION 2. This act shall take effect upon its passage.

Approved February 18, 1913.

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*Chap.*119 AN ACT TO AUTHORIZE THE TOWN OF NORWELL TO REFUND CERTAIN INDEBTEDNESS.

Be it enacted, etc., as follows:

The town of Norwell may issue notes to refund certain indebtedness.

SECTION 1. The town of Norwell, for the purpose of refunding certain outstanding indebtedness of the town amounting to thirty-three hundred dollars and represented by notes in favor of the "Otis and Coffin Funds", so-called, is hereby authorized to incur indebtedness to that amount and to issue therefor four notes, one of nine hundred dollars payable within one year from the date of issue thereof, and three for eight hundred dollars each, payable respectively within two, three and four years from the date of issue of the first note, so that the whole indebtedness herein authorized will be paid within four years after the date of issue of said

first note. The said notes shall bear interest at a rate not exceeding four per cent per annum, and the amount required to pay the interest on said notes and the amount of the principal falling due each year shall be raised by taxation and shall be included by the assessors in the levy without further appropriation therefor by the town.

Section 2. This act shall take effect upon its passage.

Approved February 18, 1913.

An Act relative to bonds of probation officers. *Chap.* 120

Be it enacted, etc., as follows:

Probation officers to give bonds, etc.

Section 1. Probation officers now holding office, and those hereafter appointed, before they enter upon the performance of their official duties, shall give bond to the treasurer of the county, with sufficient sureties to be approved by a justice of the superior court who shall also fix the amount of the bond, conditioned to account for and pay over, as and when required by law, all moneys received by them in the exercise of their official duties. A failure so to do shall be a breach of the condition of the bond and a failure to give the bond shall be sufficient cause for the removal from office of the officer.

Section 2. This act shall take effect upon its passage.

Approved February 18, 1913.

An Act to require the deposit by probation officers of surplus moneys. *Chap.* 121

Be it enacted, etc., as follows:

R. L. 21, § 22, etc., amended.

Section 1. Section twenty-two of chapter twenty-one of the Revised Laws, as amended by chapter thirty-six of the acts of the year nineteen hundred and eleven, is hereby further amended by inserting after the word "correction", in the fourth line, the words: — probation officers, — so as to read as follows: — *Section 22.* County treasurers, clerks of the courts, clerks of police, district and municipal courts, justices of courts having no clerk, sheriffs and masters of jails and houses of correction, probation officers, registers of probate and insolvency and registers of deeds, having more money in their hands than is required for immediate use, shall deposit it, in their official names, in national banks or trust companies in this commonwealth at the best prac-

Surplus moneys to be deposited in banks, etc.

ticable rates of interest, which interest shall be paid into the county treasury, except in the case of registers of probate and insolvency, in which case the interest shall be paid to the commonwealth.

SECTION 2. This act shall take effect upon its passage.

Approved February 18, 1913.

Chap. 122 AN ACT TO AUTHORIZE THE CHESTER FIRE DISTRICT TO INCREASE ITS WATER SUPPLY.

Be it enacted, etc., as follows:

Chester Fire District Water Loan, Act of 1913.

SECTION 1. The Chester Fire District, for the purpose of furnishing its inhabitants with an additional supply of water to be taken from any of the sources granted to said fire district by the provisions of chapter one hundred and seventy-nine of the acts of the year eighteen hundred and ninety-four, may issue from time to time bonds, notes or scrip to an amount not exceeding twenty-five thousand dollars. Such bonds, notes and scrip shall bear on their face the words, Chester Fire District Water Loan, Act of 1913, shall be payable at the expiration of periods not exceeding thirty years from the date of issue, shall bear interest, payable semi-annually, at a rate not exceeding five per cent per annum, and shall be signed by the treasurer of said fire district and countersigned by the chairman of the water commissioners.

Sale of bonds, etc.

SECTION 2. The fire district may sell such securities at public or private sale, at not less than their par value, upon such terms and conditions as it may deem proper. The proceeds of said bonds, notes or scrip shall be used only for the purposes mentioned in this act, but no purchaser of any of the notes, bonds or scrip shall be responsible for the application of the proceeds.

Payment of loan.

SECTION 3. The fire district shall, at the time of authorizing the loan, provide for the payment thereof in such annual proportionate payments, beginning not more than one year after the first issue of such bonds, notes or scrip, as will extinguish the same within the time prescribed by this act. The fire district shall each year assess and collect upon the property, real and personal, in said fire district, by taxation, a sum which with the income derived from the water rates will be sufficient to pay the current annual expenses of operating its water works and the interest as it accrues on the bonds, notes or scrip issued as aforesaid and to make

such payments on the principal as may be required under this act.

Section 4. The clerk of said fire district shall, on or before the first day of May of each year, certify to the assessors of the town of Chester all sums voted to be raised by the district during the year last preceding, under the provisions of this act, which sums shall be assessed and collected by the officers of the town in the same manner as town taxes are assessed and collected, and shall be paid over to the treasurer of said district, who shall hold the same subject to the order of the water commissioners. Clerk to certify to assessors sums voted to be raised, etc.

Section 5. This act shall take effect upon its passage.

Approved February 18, 1913.

An Act relative to the punishment for the reckless driving of automobiles and motor cycles. *Chap.* 123

Be it enacted, etc., as follows:

Section 1. Section twenty-two of chapter five hundred and thirty-four of the acts of the year nineteen hundred and nine is hereby amended by striking out the words "not exceeding six months", in the twelfth line, and inserting in place thereof the words: — of not less than two weeks and not more than two years, — so as to read as follows: — 1909, 534, § 22, amended.

Section 22. Whoever upon any way operates an automobile or motor cycle recklessly or while under the influence of intoxicating liquor, or so that the lives or safety of the public might be endangered, or upon a bet, wager or race, or who operates a motor vehicle for the purpose of making a record and thereby violates any provision of sections sixteen and seventeen of this act, or who knowingly goes away without stopping and making himself known after causing injury to any person or property, or who uses a motor vehicle without authority, shall be punished by a fine of not more than two hundred dollars or by imprisonment for a term of not less than two weeks and not more than two years, or by both such fine and imprisonment; and if any person be convicted a second time of operating an automobile while under the influence of intoxicating liquor, he shall be punished by imprisonment for a term of not less than one year and not more than two years. A conviction of a violation of this section shall be reported forthwith by the court or trial justice to the commission, which shall revoke immediately Penalty for operating automobile, etc., recklessly, or while under influence of intoxicating liquor, etc. Revocation or suspension of license, etc.

the license of the person so convicted. If it appears by the records of the commission that the person so convicted is the owner of a motor vehicle, or has exclusive control of any motor vehicles as a manufacturer or dealer, the commission may revoke the certificate of registration of all motor vehicles so exclusively owned or controlled. Whenever any person so convicted appeals, the commission shall suspend forthwith the license of the person so convicted, and shall order the license delivered to it, and shall not reissue said license unless such person is acquitted in the appellate court, or unless the commission in its discretion, after an investigation or upon a hearing, decides to reissue it. No new license or certificate shall be issued by the commission to any person convicted of a violation of this section until after sixty days from the date of such final conviction, nor thereafter except in the discretion of the commission.

SECTION 2. This act shall take effect upon its passage.

Approved February 19, 1913.

Chap. 124 AN ACT RELATIVE TO THE TAKING OF FISH IN THE WATERS OF SCITUATE AND MARSHFIELD.

Be it enacted, etc., as follows:

1912, 449, § 1, amended.

SECTION 1. Section one of chapter four hundred and forty-nine of the acts of the year nineteen hundred and twelve is hereby amended by striking out the word "and", in the fourth line; by striking out the words "southwesterly of a line drawn from Little Black Rock to Gull Island", in the fourth and fifth lines; by inserting after the word "Scituate", in the fourth line, the words: — and Marshfield, — by inserting before the word "Duxbury", in the eighth line, the words: — Scituate, Marshfield, — and by inserting after the word "described", in the eleventh line, the words:—except that no permits shall be granted for the above named purposes in the waters of Scituate southwesterly of a line drawn from Little Black Rock to Gull Island, — so as to read as follows: — *Section 1.* It shall be unlawful for any person to display torches or other light designed or used for the purpose of taking herring or other fish in any of the waters of Cohasset, Scituate and Marshfield, or in the waters of Duxbury and Plymouth harbors westerly of a line drawn from Pier Head to Saquish Head, or in the waters of the town of Kingston: *provided, however,* that the selectmen of the

Taking of fish in the waters of certain towns regulated.

Proviso.

towns of Scituate, Marshfield, Duxbury, Kingston and Plymouth may grant permits for the display of torches or other light for the purposes aforesaid, within the limits of their respective towns as herein described, except that no permits shall be granted for the above named purposes in the waters of Scituate southwesterly of a line drawn from Little Black Rock to Gull Island, with such restrictions as in their judgment will prevent the same from constituting a nuisance; and they may at any time revoke any such permit.

1912, 449, amended by inserting new section. Permits not transferable, etc.

Section 2. Said chapter four hundred and forty-nine is hereby further amended by inserting after section one a new section to be numbered two, as follows: — *Section 2.* Permits granted under the provisions of this act shall be good only for the person to whom the permit is granted. Such permits shall not be transferable, and shall not authorize the taking of fish by any agent or employee of the person to whom the permit is granted.

Approved February 19, 1913.

An Act making appropriations for the maintenance of the Wrentham state school. *Chap.* 125

Be it enacted, etc., as follows:

Wrentham state school, maintenance.

Section 1. The sums hereinafter mentioned are appropriated, for the maintenance of the Wrentham state school, for the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen, to wit: —

From the receipts of said school now in the treasury of the commonwealth, the sum of six hundred thirty-five dollars and fifty-seven cents; and from the treasury of the commonwealth, from the ordinary revenue, a sum not exceeding ninety-four thousand five hundred ninety-four dollars and forty-three cents.

Section 2. This act shall take effect upon its passage.

Approved February 19, 1913.

An Act making an appropriation for the maintenance of the state industrial school for girls. *Chap.* 126

Be it enacted, etc., as follows:

State industrial school for girls, maintenance.

Section 1. A sum not exceeding seventy-eight thousand five hundred dollars is hereby appropriated, to be paid out of the treasury of the commonwealth from the ordinary

revenue, for the maintenance of the state industrial school for girls, for the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen.

SECTION 2. This act shall take effect upon its passage.

Approved February 19, 1913.

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*Chap.*127 AN ACT MAKING APPROPRIATIONS FOR THE MAINTENANCE OF THE WORCESTER STATE HOSPITAL.

Be it enacted, etc., as follows:

Worcester state hospital, maintenance.

SECTION 1. The sums hereinafter mentioned are appropriated, for the maintenance of the Worcester state hospital, for the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen, to wit: —

From the receipts of said hospital now in the treasury of the commonwealth, the sum of sixty-eight thousand five hundred eight dollars and fifty-four cents; and from the treasury of the commonwealth from the ordinary revenue, a sum not exceeding two hundred sixty-six thousand seven hundred forty-one dollars and forty-six cents.

SECTION 2. This act shall take effect upon its passage.

Approved February 19, 1913.

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*Chap.*128 AN ACT TO AUTHORIZE THE TOWN OF SHARON TO INCREASE AND EXTEND ITS WATER SUPPLY.

Be it enacted, etc., as follows:

The town of Sharon may increase its water supply, etc.

SECTION 1. The town of Sharon, for the purpose of extending and increasing its water supply may, in addition to the authority granted by chapter one hundred and seventy-seven of the acts of the year eighteen hundred and eighty-three and by chapter two hundred and forty-one of the acts of the year eighteen hundred and ninety-four and other acts amendatory thereof, take or acquire by purchase or otherwise, and hold the waters of any underground sources of supply, by means of driven wells or other works, within the limits of the town of Sharon, and the water rights connected with such underground water sources, and may convey said waters by means of aqueducts, conduits, pipes or other works to any part of the said town; and may also take or acquire by purchase or otherwise, and hold all lands, buildings, rights of way and easements necessary for collecting, holding, purifying and preserving the purity of the water so acquired, and for conveying the same to any part of the

said town. But no source of water supply and no lands necessary for preserving the purity of the water shall be taken or used without first obtaining the advice and approval of the state board of health, and the location of all wells, reservoirs or other works to be used as sources of water supply under this act shall be subject to the approval of the said board of health.

May erect structures, lay pipes, etc.

SECTION 2. The said town may construct on the lands acquired under the provisions of this act proper dams, reservoirs, stand pipes, tanks, buildings, pumping plants, fixtures and other structures, and may make excavations, sink, drive and construct wells, procure and operate machinery, and provide such other means and appliances and do such other things as may be necessary or desirable for carrying out the provisions of this act, including the establishment and maintenance of purification works or systems in said land; and for the aforesaid purposes may construct, lay and maintain aqueducts, conduits, pipes, pipe lines and other works under and over any land, water courses, railroads, street or electric railways in said town, and along and under private ways in the town, in such manner as not unnecessarily to obstruct the same.

Damages.

SECTION 3. The said town shall pay all damages to property sustained by any person or corporation by the taking of any water, water sources, rights or easements, or by any other act done under authority hereof. The damages shall be determined in the manner provided by section four of chapter one hundred and seventy-seven of the acts of the year eighteen hundred and eighty-three.

SECTION 4. This act shall take effect upon its passage.

Approved February 19, 1913.

AN ACT RELATIVE TO MEMBERSHIP ON THE BOARD OF TRUSTEES OF THE ROXBURY LATIN SCHOOL. *Chap.* 129

Be it enacted, etc., as follows:

1788, 34, § 2, etc., amended.

SECTION 1. Chapter thirty-four of the acts of the year seventeen hundred and eighty-eight, as amended by chapter one hundred and thirteen of the acts of the year nineteen hundred and six, is hereby further amended by striking out section two of said chapter one hundred and thirteen, and inserting in place thereof the following: — *Section 2.* Said thirteen trustees shall be of three classes, denominated trus-

Trustees to be of three classes.

tees ex officiis, trustees for life, and trustees for five years, respectively.

Trustees, ex officiis.

(1) The trustees ex officiis shall be the minister and two oldest deacons in length of service of the First Religious Society in Roxbury, incorporated under chapter one hundred and thirty-three of the acts of the year eighteen hundred and twenty-four, approved February twenty-sixth, eighteen hundred and twenty-five.

Trustees for life.

(2) The trustees for life shall be the five trustees who were members of said corporation on the first day of January, nineteen hundred and thirteen, by election prior to the twenty-sixth day of February, nineteen hundred and six, and their successors in office.

Each of said trustees for life shall hold office until he dies, resigns or is declared by vote of the majority of the other members of said corporation to be, in their judgment, rendered by age, infirmity or otherwise incapable of discharging the duties of his office.

Vacancy.

Any vacancy in the class of trustees for life shall be filled by a majority vote of the remaining trustees of all classes.

Trustees for five years.

(3) The trustees for five years shall be the five trustees who were members of said corporation on the first day of January, nineteen hundred and thirteen, by election subsequent to the twenty-sixth day of February, nineteen hundred and six, and their successors in office.

Certain trustees to hold office until, etc.

Said trustees for five years holding office on the first day of January, nineteen hundred and thirteen, shall continue in office until the thirtieth day of June next following the dates fixed at the time of their election for the expiration of the terms for which they were severally elected.

Terms of certain trustees, etc.

Before the expiration of the term of any trustee for five years, the trustees of all classes shall elect his successor, as hereinafter provided, who shall hold office for the term of five years from such expiration, except that the trustee to be elected in the year nineteen hundred and seventeen shall be elected for three years and the trustees to be elected in the year nineteen hundred and eighteen shall be elected one for three years and one for four years, from the thirtieth day of June in the said years nineteen hundred and seventeen and nineteen hundred and eighteen.

Filling of vacancy.

If any trustee for five years before the expiration of the term for which he was elected dies, resigns or is declared by vote of a majority of the other members of said corporation

to be, in their judgment, rendered by age, infirmity or otherwise incapable of discharging the duties of his office, the trustees of all classes shall elect his successor, as hereinafter provided, who shall hold office for the unexpired term of his predecessor in office.

Notice of vacancy. Notice of any vacancy in the class of trustees for five years through other cause than expiration of the term for which any such trustee was elected, shall be given forthwith in writing by the secretary of said corporation to at least two of the members of the nominating committee, hereinafter provided for.

Election. (4) The trustees for five years shall be elected in the following manner: —

(*a*) A meeting of the alumni, who for the purpose of this act shall be taken to include every one who was for at least two years a member of a class which has been graduated from said school at least five years, shall be held in the building occupied by said school on such day not later than thirty days from the time when this act takes effect, as may be determined by the members of said corporation, and thereafter in each year on the day when diplomas are awarded to the graduating class, known as graduation day.

Notice of meeting. Notice of every such meeting shall be given by the secretary of said corporation by mail to all of the alumni whose addresses are known to him.

Officers to be chosen, etc. At every such meeting a chairman and secretary shall be chosen from the alumni present, and the secretary shall keep, attest and transmit a record of the proceedings of every such meeting to the secretary of the corporation, who shall enter the same upon the records of the corporation.

Nominating committee. (*b*) The alumni present at such meeting shall choose for the whole number of alumni a nominating committee of seven members, who shall have power to fill its vacancies and shall hold office for one year, beginning with the first day of July next following its election, except that the nominating committee chosen at the first meeting, hereinbefore provided for, shall hold office from the time of its election until the first day of July, nineteen hundred and thirteen.

Nominations. (*c*) Every such nominating committee shall nominate at least three times as many alumni as there are vacancies to be filled in the class of trustees for five years during the term of office of the nominating committee, and shall trans-

mit such nominations to the secretary of said corporation not later than thirty nor more than sixty days before the occurrence of a vacancy by reason of the expiration of the term for which such trustee was elected, and forthwith upon the receipt of the notice from the secretary of the corporation, hereinbefore provided for, in case of a vacancy occurring through other cause.

Vacancies.

(*d*) All vacancies in the class of trustees for five years shall be filled by a majority vote of the trustees of all classes from such nominations from the nominating committee, but if any such nominating committee shall fail to make and transmit nominations, as hereinbefore provided, the trustees for five years holding office at the time shall themselves make nominations which shall be voted upon by the trustees of all classes as if made by such nominating committee.

Time of taking effect.

SECTION 2. This act shall take effect when accepted by a majority of the trustees in office, on behalf of said corporation, at a meeting held within thirty days after its passage. The secretary of said corporation shall forthwith upon such acceptance record in the registry of deeds for the county of Suffolk a copy of the vote of acceptance, with a certificate of its adoption by the trustees, as herein provided, and the date of its adoption verified by him.

Copy of vote to be recorded, etc.

Approved February 19, 1913.

Chap. 130 AN ACT RELATIVE TO THE JURISDICTION OF THE PROBATE COURT.

Be it enacted, etc., as follows:

Claimants of unclaimed deposits to petition to probate court.

Any person claiming a right to money deposited with the treasurer and receiver general under the provisions of sections fifty-five and fifty-six of chapter five hundred and ninety of the acts of the year nineteen hundred and eight, by a decree of the probate court, may establish his right by proper petition to the probate court in which the decree was entered. So much of section fifty-seven of said chapter five hundred and ninety, as amended by chapter seventy of the acts of the year nineteen hundred and twelve, as provides that petitions in such cases shall be made to the superior court is hereby repealed.

Repeal.

Approved February 19, 1913.

An Act to authorize the city of Fall River to incur indebtedness for the purpose of sewer construction. *Chap.* 131

Be it enacted, etc., as follows:

The city of Fall River may incur indebtedness for sewer construction.

Section 1. The city of Fall River, for the purpose of sewer construction in that city, may incur indebtedness beyond the limit fixed by law, to an amount not exceeding two hundred and fifty thousand dollars, and may issue bonds, notes or scrip therefor. Such bonds, notes or scrip shall be payable within such periods, not exceeding thirty years from the dates of issue, and shall bear such rate of interest not exceeding four and one half per cent per annum, payable semi-annually, as the city council shall determine. Except as otherwise provided herein the provisions of chapter four hundred and ninety of the acts of the year nineteen hundred and nine shall, so far as they may be applicable, apply to the indebtedness hereby authorized and to the securities issued therefor.

Payment of loan.

Section 2. The city council of said city shall, at the time of authorizing said loan, provide for the payment thereof in such annual proportionate payments as will extinguish the same within the time prescribed in this act; and thereafter, without further action of the city council, the amount required for such payments, and for the interest payable each year, shall annually be assessed by the assessors of the city, in the same manner in which other taxes are assessed, until the debt incurred by the said loan is extinguished.

Section 3. This act shall take effect upon its passage.

Approved February 19, 1913.

An Act to provide for the printing and distribution of the annual report of the directors of the port of Boston. *Chap.* 132

Be it enacted, etc., as follows:

R. L. 9, § 7, amended.

Section 1. Section seven of chapter nine of the Revised Laws is hereby amended by inserting after the one hundred and nineteenth line thereof the words: — Of the directors of the port of Boston, three thousand copies, of which two thousand copies shall be for the use of the directors.

Directors of the port of Boston.

Section 2. This act shall take effect upon its passage.

Approved February 19, 1913.

Chap. 133 AN ACT TO AUTHORIZE THE TOWN OF WEST BRIDGEWATER TO MAKE AN ADDITIONAL WATER LOAN.

Be it enacted, etc., as follows:

The Town of West Bridgewater Water Loan, Act of 1913.

SECTION 1. The town of West Bridgewater, for the purposes authorized by chapter one hundred and thirty-eight of the acts of the year nineteen hundred and ten, and for paying the necessary expenses and liabilities incurred under the provisions of this act, may issue from time to time bonds or notes to an amount not exceeding twenty-five thousand dollars in addition to amounts heretofore authorized by law to be issued by said town for water supply purposes. Bonds or notes issued under authority of this act shall bear on their face the words, The Town of West Bridgewater Water Loan, Act of 1913; shall be payable by such annual payments, beginning not more than one year after the date thereof, as will extinguish the loan within thirty years from the date thereof; but the amount of such annual payment of any loan in any year shall not be less than the amount of the principal of said loan payable in any subsequent year. Each authorized issue of bonds or notes shall constitute a separate loan. Said bonds or notes shall bear interest at a rate not exceeding four and one half per cent per annum, payable semi-annually; shall be signed by the treasurer of the town and countersigned by the water commissioners. The town may sell such bonds or notes at public or private sale, upon such terms and conditions as it may deem proper, but they shall not be sold for less than their par value.

Payment of loan.

SECTION 2. Said town shall, at the time of authorizing said loan or loans, provide for the payment thereof in accordance with section one of this act; and when a vote to that effect has been passed, a sum which with the income derived from water rates will be sufficient to pay the annual expense of operating its water works and the interest as it accrues on the bonds or notes issued as aforesaid by the town, and to make such payments on the principal as may be required under the provisions of this act, shall without further vote be assessed by the assessors of the town annually thereafter, in the same manner in which other taxes are assessed, until the debt incurred by said loan or loans is extinguished.

SECTION 3. This act shall take effect upon its passage.

Approved February 20, 1913.

AN ACT TO REPEAL AN ACT RELATIVE TO THE TAKING OF FISH IN THE WATERS OF TISBURY AND ELSEWHERE. *Chap.* 134

Be it enacted, etc., as follows:

Chapter eighty-four of the acts of the year eighteen hundred and thirty, which regulates the taking of fish in the waters of the town of Tisbury and in Holmes Hole harbor is hereby repealed. *Approved February 20, 1913.*

1830, 84, repealed.

AN ACT TO AUTHORIZE THE TOWN OF DEDHAM TO TAKE THE OLD POWDER HOUSE LOT, SO-CALLED, AND THE ADJACENT LAND, FOR A PUBLIC PARK. *Chap.* 135

Be it enacted, etc., as follows:

SECTION 1. The town of Dedham is hereby authorized to acquire by purchase, gift, devise, or by right of eminent domain, the Old Powder House lot, so-called, in the said town, with the structures thereon, and such adjoining land as the town, by its board of park commissioners, shall consider desirable or necessary. The town shall maintain the said land as a public park, and may raise by taxation and appropriate such amounts of money as may be necessary for the above purpose, and may receive gifts or bequests of money or other property therefor.

The town of Dedham may acquire certain property for a public park, etc.

SECTION 2. The Dedham Historical Society is hereby authorized to convey to the town of Dedham all its right, title and interest in and to the said Powder House lot and the structures thereon.

Conveyance of land, etc.

SECTION 3. The provisions of sections two to thirteen, inclusive, of chapter twenty-eight of the Revised Laws and acts in amendment thereof and in addition thereto, except in so far as they may be inconsistent herewith, shall apply to the land and structures acquired under the provisions of this act.

Certain provisions of law to apply.

SECTION 4. No land or interest in land shall be taken and no expenditure made, or indebtedness incurred, under the provisions of this act until an amount sufficient therefor shall have been given or bequeathed to the town for the above purpose, or until such amount, or such part thereof as may be necessary, over and above the amount of any gifts or bequests, has been appropriated by a two thirds vote of the voters of the town present and voting at an annual

Land not to be taken, etc., until sufficient appropriation is made, etc.

town meeting or at a special town meeting duly called for the purpose.

SECTION 5. This act shall take effect upon its passage.

Approved February 20, 1913.

Chap. 136 AN ACT TO AUTHORIZE THE PAYMENT OF A PENSION BY THE CITY OF BOSTON TO THE WIDOW OF JEREMIAH J. LEHAN.

Be it enacted, etc., as follows:

The city of Boston may pay an annuity to Jeremiah J. Lehan.

SECTION 1. The city council of the city of Boston, with the approval of the mayor, is hereby authorized to pay for a period not exceeding ten years from the date of the acceptance of this act as hereinafter provided, to Lucy A. Lehan, widow of Jeremiah J. Lehan, a police officer of the city of Boston who died during the fifteenth year of his service, on the night of the tenth day of December, nineteen hundred and four, while in the discharge of his duty as such police officer, an annuity of three hundred dollars for the support of herself and three minor children so long as she remains unmarried, or thereafter for the benefit of all or any one of her three minor children so long as any one of them remains under the age of sixteen years.

Time of taking effect.

SECTION 2. This act shall take effect upon its acceptance by the mayor and city council of the city of Boston.

Approved February 24, 1913.

Chap. 137 AN ACT TO AUTHORIZE THE CITY OF BOSTON TO PAY A SUM OF MONEY TO PATRICK E. KEARNS.

Be it enacted, etc., as follows:

The city of Boston may pay a sum of money to Patrick E. Kearns.

SECTION 1. The city of Boston is hereby authorized to pay a sum of money not exceeding five hundred dollars to Patrick E. Kearns of Boston on account of the death of his minor son, Herbert Kearns, on the third day of July in the year nineteen hundred and eleven, his death having been caused by the defective and unsafe condition of the outlet of a sewer maintained by the city near Dorchester bay.

Time of taking effect.

SECTION 2. This act shall take effect upon its acceptance by the city council of the city of Boston, with the approval of the mayor.

Approved February 24, 1913.

AN ACT RELATIVE TO THE CONSTRUCTION AND MAINTENANCE OF A SYSTEM OF SEWERAGE IN THE TOWN OF CONCORD. *Chap.* 138

Be it enacted, etc., as follows:

1895, 151, § 8, amended.

Section eight of chapter one hundred and fifty-one of the acts of the year eighteen hundred and ninety-five is hereby amended by striking out the word "the", in the fifth line, and inserting in place thereof the word: — a, — and by inserting after the word "to", in the sixth line, the words: — or in, — and by striking out the word "the", in the seventh line, and inserting in place thereof the word: — a, — so as to read as follows: — *Section 8.* The commissioners of prisons shall, at the expense of the commonwealth, connect the sewers and sewerage system of the Massachusetts reformatory and other property of the commonwealth in the said town of Concord with a main sewer of said town, whenever such main sewer shall be laid by the town to or in Concord Junction and connected with a system of sewage disposal established by the town, paying for such privilege such part of the cost of construction of said system and such part or percentage of the annual expense of maintaining and operating the same as may be agreed upon between the said town and said commonwealth through its board of prison commissioners; and in case said town and commissioners shall be unable to agree then such compensations to be so paid shall be determined by three commissioners to be appointed by the supreme judicial court, upon application of either said town or said board of prison commissioners and notice to the other of said parties, whose award when accepted by said court shall be final and binding upon said town and commonwealth. *Approved February 24, 1913.*

Sewers, etc., of Massachusetts reformatory to be connected with main sewer, etc.

AN ACT MAKING AN APPROPRIATION FOR THE MAINTENANCE OF THE STATE FARM. *Chap.* 139

Be it enacted, etc., as follows:

State farm, maintenance.

SECTION 1. A sum not exceeding three hundred and forty-eight thousand dollars is hereby appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, for the maintenance of the state farm, during the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen.

SECTION 2. This act shall take effect upon its passage. *Approved February 24, 1913.*

Chap. 140 AN ACT MAKING AN APPROPRIATION FOR THE MAINTENANCE OF THE LYMAN SCHOOL FOR BOYS.

Be it enacted, etc., as follows:

Lyman school for boys, maintenance.

SECTION 1. A sum not exceeding one hundred and fourteen thousand dollars is hereby appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, for the maintenance of the Lyman school for boys, for the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen.

SECTION 2. This act shall take effect upon its passage.

Approved February 24, 1913.

Chap. 141 AN ACT MAKING APPROPRIATIONS FOR THE MAINTENANCE OF THE TAUNTON STATE HOSPITAL.

Be it enacted, etc., as follows:

Taunton state hospital, maintenance.

SECTION 1. The sums hereinafter mentioned are appropriated, for the maintenance of the Taunton state hospital, for the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen, to wit: —

From the receipts of said hospital now in the treasury of the commonwealth, the sum of thirty-nine thousand three hundred twenty-two dollars and ninety-one cents; and from the treasury of the commonwealth from the ordinary revenue, a sum not exceeding two hundred thirty-two thousand nine hundred seventy-seven dollars and nine cents.

SECTION 2. This act shall take effect upon its passage.

Approved February 24, 1913.

Chap. 142 AN ACT MAKING APPROPRIATIONS FOR THE MAINTENANCE OF THE WESTBOROUGH STATE HOSPITAL.

Be it enacted, etc., as follows:

Westborough state hospital, maintenance.

SECTION 1. The sums hereinafter mentioned are appropriated, for the maintenance of the Westborough state hospital, for the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen, to wit: —

From the receipts of said hospital now in the treasury of the commonwealth, eighty-two thousand seven hundred seventy-four dollars and nineteen cents; and from the treasury of the commonwealth from the ordinary revenue,

a sum not exceeding two hundred thirty-nine thousand five hundred seventy-five dollars and eighty-one cents.

Section 2. This act shall take effect upon its passage.

Approved February 24, 1913.

An Act making appropriations for the salaries and expenses of the board of education, and for sundry educational expenses. *Chap.* 143

Be it enacted, etc., as follows:

Section 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, for the salaries and expenses of the board of education, for the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen, to wit: — Appropriations, board of education.

For the salaries of the commissioner, deputy commissioners, assistants, agents, and for clerical and messenger services of said board, a sum not exceeding forty-eight thousand three hundred dollars. Salaries, etc.

For travelling expenses of commissioner, deputies, agents and assistants, a sum not exceeding five thousand dollars. Travelling expenses.

For rent of offices for the use of the board, a sum not exceeding thirty-eight hundred and eighty-nine dollars. Rent of offices.

For incidental expenses of the board, travelling and other necessary expenses of the members thereof, and for obtaining information regarding educational methods in other states, a sum not exceeding six thousand dollars. Incidental expenses, etc.

For printing and binding the annual report, a sum not exceeding five thousand dollars. Annual report.

For aid to pupils in state normal schools, a sum not exceeding four thousand dollars, payable in semi-annual instalments, to be expended under the direction of the board. Aid to pupils in normal schools.

For expenses of teachers' institutes, a sum not exceeding two hundred dollars. Teachers' institutes.

For the Massachusetts Teachers' Association, the sum of three hundred dollars, subject to the approval of the board. Massachusetts Teachers' Association.

For the expenses of county teachers' associations, a sum not exceeding seven hundred dollars. County teachers' associations.

To enable small towns to provide themselves with school superintendents, a sum not exceeding eighty-six thousand two hundred dollars. School superintendents, small towns.

For the education of deaf pupils of the commonwealth in the schools designated by law, for the present year and Education of deaf pupils.

for previous years, a sum not exceeding one hundred and twelve thousand dollars.

School registers, etc. For school registers and other school blanks for cities and towns, a sum not exceeding two thousand dollars.

Perkins Institution and Massachusetts School for the Blind. For the Perkins Institution and Massachusetts School for the Blind, as provided by chapter nineteen of the resolves of the year eighteen hundred and sixty-nine, the sum of thirty thousand dollars.

Tuition, etc., of certain children. For the payment of tuition of children in high schools outside of the town in which they live, as provided by section three of chapter forty-two of the Revised Laws, as amended by chapter four hundred and thirty-three of the acts of the year nineteen hundred and two, for the present year and for previous years, a sum not exceeding seventy-nine thousand dollars. There may also be paid from this amount such sums as may be necessary for the transportation to and from school of children living upon islands within the commonwealth not provided with schools.

Instruction of adult blind. To provide for the instruction of the adult blind at their homes by the Perkins Institution and Massachusetts School for the Blind, the sum of five thousand dollars.

Rules for testing sight, etc. For furnishing school committees with rules for testing the sight and hearing of pupils, a sum not exceeding eight hundred dollars.

FOR SUPPORT OF STATE NORMAL SCHOOLS.

Normal school, Bridgewater. Bridgewater, a sum not exceeding sixty-nine thousand nine hundred and seventy-six dollars.

Fitchburg. Fitchburg, a sum not exceeding fifty-two thousand one hundred and fifty-three dollars.

Framingham. Framingham, a sum not exceeding fifty-six thousand six hundred and twenty-one dollars.

Hyannis. Hyannis, a sum not exceeding twenty-seven thousand and twenty-five dollars.

Lowell. Lowell, a sum not exceeding thirty-five thousand and seven dollars.

North Adams. North Adams, a sum not exceeding forty-three thousand six hundred and ninety-eight dollars.

Salem. Salem, a sum not exceeding fifty-one thousand five hundred and ninety-two dollars.

Westfield. Westfield, a sum not exceeding forty thousand two hundred and sixty-four dollars.

Worcester. Worcester, a sum not exceeding forty thousand eight hundred and eighteen dollars.

Normal art school, a sum not exceeding forty-six thousand six hundred and sixty-four dollars. Normal art school.

Section 2. This act shall take effect upon its passage.

Approved February 24, 1913.

An Act making appropriations for the maintenance of the Worcester state asylum. *Chap.* 144

Be it enacted, etc., as follows:

Section 1. The sums hereinafter mentioned are appropriated, for the maintenance of the Worcester state asylum, for the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen, to wit: — Worcester state asylum, maintenance.

From the receipts of said asylum now in the treasury of the commonwealth, the sum of ninety-one hundred forty-four dollars and eighty-eight cents; and from the treasury of the commonwealth from the ordinary revenue, a sum not exceeding two hundred eighty-one thousand seven hundred fifty-five dollars and twelve cents.

Section 2. This act shall take effect upon its passage.

Approved February 24, 1913.

An Act making an appropriation to cover subsidies to cities and towns for establishing and maintaining tuberculosis hospitals. *Chap.* 145

Be it enacted, etc., as follows:

Section 1. A sum not exceeding sixty-four thousand nine hundred twenty-two dollars and fourteen cents is hereby appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, to certain cities and towns for amounts to which they are entitled for subsidies for establishing and maintaining tuberculosis hospitals during the period ending November thirtieth, nineteen hundred and twelve. Subsidies to cities and towns for establishing, etc., tuberculosis hospitals.

Section 2. This act shall take effect upon its passage.

Approved February 24, 1913.

An Act making an appropriation for the maintenance of the state infirmary. *Chap.* 146

Be it enacted, etc., as follows:

Section 1. A sum not exceeding four hundred forty-four thousand two hundred dollars is hereby appropriated, State infirmary, maintenance.

to be paid out of the treasury of the commonwealth from the ordinary revenue, for the maintenance of the state infirmary, for the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen.

Section 2. This act shall take effect upon its passage.

Approved February 24, 1913.

Chap. 147 An Act relative to the removal of executive officers by the mayor and aldermen of the city of Newton.

Be it enacted, etc., as follows:

1910, 557, repealed.

Section 1. Chapter five hundred and fifty-seven of the acts of the year nineteen hundred and ten is hereby repealed

1897, 283, § 16, amended.

and chapter two hundred and eighty-three of the acts of the year eighteen hundred and ninety-seven is hereby amended by striking out section sixteen and inserting in place thereof

Mayor may suspend certain officers, etc.

the following: — *Section 16.* The mayor may, in writing, suspend any executive officer or any work, and he shall at once report his action and his reasons therefor to the board of aldermen. Unless a regular meeting of the board is to be held within fourteen days thereafter, the mayor shall forthwith call a special meeting of the board for the purpose of acting on such suspension. Work suspended by the mayor may be carried on at his discretion until action is taken by the board. If the board shall, within fifteen days after receiving a report of the suspension of any work, vote that the mayor's action be not sustained, the work shall be prosecuted forthwith. If the board shall, within fifteen days after receiving a report of the suspension of any executive officer, vote that the mayor's action be not sustained, such officer shall at once be reinstated; otherwise such suspension shall be a removal.

Act to be submitted to voters, etc.

Section 2. This act shall be submitted to the voters of the city of Newton at the next state election, and if it is accepted by a majority of the voters voting thereon it shall take effect on the first day of January in the year nineteen hundred and fourteen. The act shall be submitted in the form of the following question to be printed on the official ballot: "Shall chapter of the acts of the year nineteen hundred and thirteen, relative to the removal of executive officers by the mayor and aldermen of the city of Newton, be accepted by the city?"

Approved February 24, 1913.

An Act relative to the rate of interest on damages for the taking of, and injury to, real estate under authority of law by the city of Boston. *Chap.* 148

Be it enacted, etc., as follows:

Rate of interest on damages for taking of real estate by the city of Boston established.

Section 1. In a suit to determine damages for the taking of, or injury to, real estate taken or injured after the passage of this act by the city of Boston under authority of any law or statute, the damages shall bear interest at the rate of four per cent per annum from the date when damages are to be assessed under the law or statute by virtue of which the city of Boston took or injured the real estate.

Section 2. This act shall take effect upon its passage.

Approved February 24, 1913.

An Act to authorize the cities of Malden and Medford to make certain contracts relative to sewage disposal. *Chap.* 149

Be it enacted, etc., as follows:

The cities of Malden and Medford may make contracts for disposal of sewage.

Section 1. The city of Malden and the city of Medford are hereby authorized and empowered to enter into contracts with each other, upon such terms as may be mutually agreed upon, for the disposal of the sewage of the respective cities.

Collection, etc., of assessments.

Section 2. Any estate in either of said cities which receives benefit by reason of sewer facilities furnished by virtue of a contract or contracts made under authority of this act shall be subject to assessment therefor, such assessment to be levied and collected by the city in which the estate is situated, in the manner and to the extent now provided by law for the levy and collection of sewer assessments in that city.

Section 3. This act shall take effect upon its passage.

Approved February 24, 1913.

An Act making appropriations for the maintenance of the Boston state hospital. *Chap.* 150

Be it enacted, etc., as follows:

Boston state hospital, maintenance.

Section 1. The sums hereinafter mentioned are appropriated, for the maintenance of the Boston state hospital, for the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen, to wit: —

From the receipts of said hospital now in the treasury of the commonwealth, the sum of twenty-nine thousand two hundred ninety-nine dollars and sixty-eight cents; and from the treasury of the commonwealth from the ordinary revenue, a sum not exceeding three hundred seventy-five thousand two hundred dollars and thirty-two cents.

SECTION 2. This act shall take effect upon its passage.

Approved February 24, 1913.

Chap. 151 AN ACT MAKING AN APPROPRIATION FOR THE MAINTENANCE OF THE PENIKESE HOSPITAL.

Be it enacted, etc., as follows:

Penikese hospital, maintenance.

SECTION 1. A sum not exceeding twenty-one thousand dollars is hereby appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, for the maintenance of the Penikese hospital, for the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen.

SECTION 2. This act shall take effect upon its passage.

Approved February 24, 1913.

Chap. 152 AN ACT MAKING APPROPRIATIONS FOR SALARIES AND EXPENSES IN THE STATE LIBRARY.

Be it enacted, etc., as follows:

Appropriations, state library.

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, for the state library, for the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen, to wit: —

Salary of librarian.

For the salary of the librarian, four thousand dollars.

Books, etc.

For books, binding, cataloguing and indexing, a sum not exceeding ten thousand dollars.

Clerical services, etc.

For clerical services, for the accommodation of visitors and for any other service required for the care, maintenance and working of the library, a sum not exceeding eleven thousand and ten dollars.

Incidental expenses, etc.

For incidental expenses, including the printing and binding of the annual report, a sum not exceeding twenty-five hundred dollars.

SECTION 2. This act shall take effect upon its passage.

Approved February 24, 1913.

An Act making appropriations for the salaries and expenses of the industrial accident board. *Chap.* 153

Be it enacted, etc., as follows:

Section 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, for the salaries and expenses of the industrial accident board, for the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen, to wit: — Appropriations, industrial accident board.

For the salaries of the members of the board, a sum not exceeding twenty-three thousand dollars. Salaries of members.

For the salary of the secretary, a sum not exceeding three thousand dollars. Secretary.

For clerical services, travelling and other necessary expenses of the board, a sum not exceeding forty thousand dollars. Expenses.

For rent of office, a sum not exceeding thirty-three hundred and fifty dollars. Rent of office.

Section 2. This act shall take effect upon its passage.

Approved February 24, 1913.

An Act to authorize the city of Quincy to sell water for mechanical or manufacturing uses on certain terms. *Chap.* 154

Be it enacted, etc., as follows:

Section 1. The city of Quincy shall not be required to pay, and is hereby exempted from paying, to the treasurer of the commonwealth any money toward the interest, sinking fund requirements, and expenses of maintenance and operation of the metropolitan water system, or on any account whatsoever, for any water from its reservoir in the town of Braintree that it may sell or distribute in any year, exclusively for mechanical or manufacturing uses and purposes, and the water so sold shall not be considered by the metropolitan water and sewerage board in determining the amount of water consumed by said city during said year, which said board is required to certify to the treasurer of the commonwealth under the provisions of chapter four hundred and eighty-eight of the acts of the year eighteen hundred and ninety-five, as amended by chapter four hundred and The city of Quincy exempted from paying for water sold for certain purposes.

fifty-seven of the acts of the year nineteen hundred and six, or by any other acts in amendment thereof or in addition thereto; and the city of Quincy is hereby exempted from any provision of any of said acts which may now authorize the treasurer of the commonwealth to assess it on account of water from its own supply which it may so sell or distribute: *provided, however,* that the metropolitan water and sewerage board certifies to the treasurer and receiver general of the commonwealth that the water sold and distributed under this act has been used for mechanical or manufacturing purposes only.

Proviso.

Contracts for sale of water.

SECTION 2. Any contract which the said city may make with a consumer for the sale of said water for mechanical or manufacturing uses or purposes shall contain a provision that whenever the public authority having control of the water of said reservoir determines that there is occasion to use said water for public purposes, said authority may terminate such contract on giving to the consumer reasonable notice of its intention so to do. Whenever such a contract is so terminated, the consumer shall not be entitled to any compensation by way of damage or otherwise by reason thereof. Such a contract may be entered into in behalf of the city by the mayor and the commissioner of public works, and may be for a year or for a greater or less period of time, as they may think proper, and upon such further terms and conditions as they may determine that the interests of the city require.

Not to affect certain rights.

SECTION 3. This act shall not in any manner abridge any right which the city of Quincy may now have concerning the disposal of said water, and the authority conferred by this act shall be in addition to the authority now possessed by it.

SECTION 4. This act shall take effect upon its passage.

Approved February 24, 1913.

Chap. 155 AN ACT TO AUTHORIZE THE SUSPENSION OF SIDEWALK ASSESSMENTS MADE UPON REAL ESTATE IN THE CITY OF BOSTON WHICH IS EXEMPT FROM TAXATION.

Be it enacted, etc., as follows:

Certain sidewalk assessments in the city of Boston may be suspended, etc.

SECTION 1. An assessment for the construction or improvement of a sidewalk made upon any parcel of real estate in the city of Boston which is exempt by law from taxation,

as determined by the board of assessors of that city, may be suspended by the board of assessors, upon the application of the owner of the real estate for such suspension, and the assessment so suspended shall not be payable or bear interest until the day on which the parcel of real estate ceases to be so exempt.

Section 2. This act shall take effect upon its passage.

Approved February 26, 1913.

An Act relative to the nomination of candidates for town offices in the town of Milton. *Chap.* 156

Be it enacted, etc., as follows:

Filing of certain nomination papers, etc., in the town of Milton legalized.

Section 1. The certificates of nomination and nomination papers of candidates for town offices in the town of Milton, if filed before five o'clock in the afternoon of the twenty-fourth day of February in the current year, shall have the same effect as if they had been filed before the said hour on the twentieth day of February in the current year.

Section 2. This act shall take effect upon its passage.

Approved February 26, 1913.

An Act making appropriations for sundry sinking funds and serial bonds. *Chap.* 157

Be it enacted, etc., as follows:

Appropriations.

Section 1. The sum of four hundred forty-six thousand eight hundred eighty-nine dollars and thirty-four cents is hereby appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, for the benefit of the following sinking funds, and to provide for the payment of certain serial bonds due the present year, to wit: —

Sinking funds.

Armory Loan.

For the Armory Loan Sinking Fund, the sum of thirty-seven thousand three hundred and eighty-nine dollars.

Medfield Insane Asylum Loan.

For the Medfield Insane Asylum Loan Sinking Fund, the sum of sixteen thousand five hundred and ninety-two dollars.

Metropolitan Parks Loan.

For the Metropolitan Parks Loan Sinking Fund, Boulevards, one half, the sum of thirty thousand one hundred and twenty-five dollars.

Prisons and Hospitals Loan.

For the Prisons and Hospitals Loan Sinking Fund, the sum of seventy-nine thousand nine hundred and eighty-two dollars.

State Highway Loan.

For the State Highway Loan Sinking Fund, the sum of forty-six thousand five hundred and twenty-eight dollars.

State House Loan.

For the State House Loan Sinking Fund, the sum of fifty-nine thousand four hundred and forty dollars.

Serial bonds.

SERIAL BONDS.

Suffolk County Court House.

For Suffolk County Court House, due March first and September first, nineteen hundred and thirteen, ten thousand three hundred thirty-three dollars and thirty-four cents.

State Highways.

For State Highways, due April first and October first, nineteen hundred and thirteen, one hundred sixty-three thousand one hundred eighty-eight dollars.

Abolition of Grade Crossings.

For Abolition of Grade Crossings, due November first, nineteen hundred and thirteen, thirty-four thousand dollars.

Armories.

For Armories, due March first and September first, nineteen hundred and thirteen, twenty-nine thousand one hundred seventeen dollars and sixty cents.

Development of the Port of Boston.

For the Development of the Port of Boston, due August first, nineteen hundred and thirteen, seventeen thousand four hundred dollars.

Prisons and Hospitals.

For Prisons and Hospitals, due November first, nineteen hundred and thirteen, forty-eight thousand one hundred and sixty dollars.

Metropolitan Parks Loan.

For the Metropolitan Parks Loan, series two, due January first, nineteen hundred and fourteen, five hundred and eighty dollars.

Soldiers' Gratuity.

For the Soldiers' Gratuity, due August first, nineteen hundred and thirteen, twelve thousand one hundred and twenty dollars.

SECTION 2. This act shall take effect upon its passage.

Approved February 26, 1913.

Chap. 158 AN ACT MAKING AN APPROPRIATION FOR THE PAYMENT OF INTEREST ON THE DIRECT DEBT AND TEMPORARY LOANS OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

Payment of interest on direct debt, etc.

SECTION 1. A sum not exceeding one million four hundred and fifty thousand dollars is hereby appropriated from the treasury of the commonwealth for the payment of interest on the direct debt, as provided for by chapter two, section one, article eleven, of the constitution of Massachusetts,

and also for interest on temporary loans, the aforesaid sum being the estimate of the treasurer and receiver general.

Section 2. This act shall take effect upon its passage.

Approved February 26, 1913.

An Act to authorize the town of Revere to issue additional water loan bonds. *Chap.* 159

Be it enacted, etc., as follows:

Section 1. Section five of chapter four hundred and fifty-seven of the acts of the year nineteen hundred and four is hereby amended by striking out the word "four", in the fourth line, and inserting in place thereof the word: — five, — and by striking out the word "three", in the eleventh line, and inserting in place thereof the word: — four, — so as to read as follows: — *Section 5.* Said town may, for the purpose of paying the necessary expenses and liabilities incurred under the provisions of this act, issue from time to time bonds, notes or scrip to an amount not exceeding in the aggregate five hundred thousand dollars, to be determined by a vote of the town at a legal meeting held for that purpose. Such bonds, notes or scrip shall bear on their face the words, Town of Revere Water Loan, shall be payable at the expiration of periods not exceeding thirty years from the date of issue, shall bear interest, payable semi-annually, at a rate not exceeding four and one half per cent per annum, and shall be signed by the treasurer of the town and countersigned by the water commissioners hereinafter provided for. Said town may sell such securities at public or private sale, or pledge the same for money borrowed for the purposes of this act, and upon such terms and conditions as the water commissioners may deem proper: *provided*, that such securities shall not be sold for less than the par value thereof.

1904, 457, § 5 amended.

Town of Revere Water Loan.

Proviso.

Section 2. Section ten of said chapter four hundred and fifty-seven is hereby amended by striking out the word "three", in the tenth line, and inserting in place thereof the word: — five, — and by adding at the end thereof the words: — The principal and interest of the additional bonds, notes or scrip authorized to be issued by this act shall be paid out of the income from water rates; and any vote of said town authorizing the issue of any of said additional bonds, notes or scrip shall provide for such annual proportionate payments thereof, beginning not more than one year after their respective dates of issue, as will extinguish

1904, 457, § 10 amended.

the loan within thirty years from the date thereof; but the amount of such annual payment in any one year shall not be less than the amount of the principal of said loan payable in any subsequent year. Each authorized issue of bonds or notes shall constitute a separate loan. The amount of proceeds realized from said bonds or notes to be expended for new construction in any one year shall be additional to the amount allowed for that purpose by chapter two hundred and thirteen of the acts of the year nineteen hundred and eleven, — so as to read as follows: — *Section 10.* Said commissioners shall fix such prices or rents for the use of water as shall produce annually as near as may be a net surplus over operating expenses, including therein any annual payment to said metropolitan water board, and interest charges equal to two per cent of the total amount of the bonds, notes or scrip issued under this act, after paying all current expenses of operating the water works, and interest upon loans, and after payment of all expenses of new construction not exceeding five thousand dollars in any one year after the original construction. The net surplus aforesaid shall be paid into the treasury of the town. Said commissioners shall annually render an account of all their doings, and shall be governed by the provisions of section fifteen of chapter twenty-seven of the Revised Laws and acts in amendment thereof and in addition thereto, except as otherwise provided herein. The principal and interest of the additional bonds, notes or scrip authorized to be issued by this act shall be paid out of the income from water rates; and any vote of said town authorizing the issue of any of said additional bonds, notes or scrip shall provide for such annual proportionate payments thereof, beginning not more than one year after their respective dates of issue, as will extinguish the loan within thirty years from the date thereof; but the amount of such annual payment in any one year shall not be less than the amount of the principal of said loan payable in any subsequent year. Each authorized issue of bonds or notes shall constitute a separate loan. The amount of proceeds realized from said bonds or notes to be expended for new construction in any one year shall be additional to the amount allowed for that purpose by chapter two hundred and thirteen of the acts of the year nineteen hundred and eleven.

Water rates, etc.

Commissioners to render account annually, etc.

Payment of loan.

Section 3. This act shall take effect upon its passage.

Approved February 26, 1913.

An Act to authorize the city of North Adams to make an additional water loan. *Chap.* 160

Be it enacted, etc., as follows:

North Adams Water Loan, Act of 1913.

Section 1. The city of North Adams is hereby authorized to issue, from time to time during the five years next ensuing after the passage of this act, in addition to the amounts now authorized by law, bonds or notes, to be denominated on the face thereof, North Adams Water Loan, Act of 1913, to an amount not exceeding two hundred thousand dollars, payable at periods of not more than thirty years from the dates of issue respectively. The proceeds of such bonds or notes shall be used for the purpose of acquiring lands, constructing reservoirs, and generally for the purpose of supplying the inhabitants with water.

Payment of loan.

Section 2. The city, instead of establishing a sinking fund, shall provide for the payment of bonds or notes issued under authority of this act by such annual payments, beginning not more than one year after the respective dates thereof, as will extinguish the loan within thirty years from the date thereof; but the amount of such annual payment of any loan in any year shall not be less than the amount of the principal of said loan payable in any subsequent year. Each authorized issue of bonds or notes shall constitute a separate loan. Said bonds or notes shall bear interest at a rate not exceeding four and one half per cent per annum, payable semi-annually. The city may sell such bonds or notes at public or private sale, upon such terms and conditions as it may deem proper, but they shall not be sold for less than their par value.

Assessments.

Section 3. Said city shall, at the time of authorizing said loan or loans, provide for the payment thereof in accordance with section two of this act; and when a vote to that effect has been passed, a sum which with the income derived from water rates will be sufficient to pay the annual expense of operating its water works and the interest as it accrues on the bonds or notes issued as aforesaid by the city, and to make such payments on the principal as may be required under the provisions of this act, shall without further vote be assessed by the assessors of the city annually thereafter, in the same manner in which other taxes are assessed, until the debt incurred by said loan or loans is extinguished.

Section 4. This act shall take effect upon its passage.

Approved February 26, 1913.

Chap. 161 AN ACT RELATIVE TO BRIDGE GUARDS AT BRIDGES OR OTHER STRUCTURES OVER RAILROADS.

Be it enacted, etc., as follows:

1906, 463, § 143, Part II, amended.

SECTION 1. Section one hundred and forty-three of Part II of chapter four hundred and sixty-three of the acts of the year nineteen hundred and six is hereby amended by inserting after the word "board", in the sixth line, the words: — except at places where, and so long as, it is specially exempted from the duty of so doing by said board, — so as to read as follows: — *Section 143.* Every railroad corporation, at every bridge or other structure, any portion of which crosses the railroad above the track, shall erect and maintain, in a manner prescribed by the board of railroad commissioners, suitable bridge guards, of a type approved by said board, except at places where, and so long as, it is specially exempted from the duty of so doing by said board. A corporation which neglects to comply with the provisions of this section shall forfeit fifty dollars for each month's neglect. Whoever wilfully destroys or breaks any such bridge guard shall be punished by a fine of not more than one hundred dollars or by imprisonment for not more than thirty days.

Bridge guards to be erected, etc.

Penalties.

SECTION 2. This act shall take effect upon its passage.

Approved February 26, 1913.

Chap. 162 AN ACT TO AUTHORIZE THE TOWN OF MILTON TO SUPPLY WATER TO A PART OF THE TOWN OF CANTON.

Be it enacted, etc., as follows:

The town of Milton may supply water to a part of the town of Canton.

SECTION 1. The town of Milton may lay and maintain water pipes and hydrants under or upon any public or private way and along such ways in that part of the town of Canton adjoining the town of Milton and bounded by Washington street, Royal street, Green street, Green Lodge street, land of the commonwealth, and by the town of Milton, in such manner as not unnecessarily to obstruct the same, and for the purpose of constructing, laying, maintaining, operating and repairing such pipes and other works, may dig up such ways in such manner as to cause the least hindrance to public travel on such ways; but all things done upon the said ways shall be subject to the direction of the selectmen of the town of Canton.

SECTION 2. This act shall take effect upon its passage.

Approved February 26, 1913.

An Act relative to the erection of waiting stations in portions of public streets in the city of Worcester. *Chap.* 163

Be it enacted, etc., as follows:

Section 1. The board of aldermen of the city of Worcester may, by order approved by the mayor, set aside parts of the public ways or areas within the public squares of that city for the purpose of erecting thereon waiting stations for the accommodation of the public. Waiting stations may be erected in certain parts of the city of Worcester.

Section 2. Said board may, by order approved by the mayor, authorize the street commissioner to grant permits for the erection of waiting stations upon the parts of highways or areas described in section one of this act, for such time, and upon such terms and conditions, as are approved by the mayor. Permits may be granted for erection, etc.

Section 3. This act shall take effect upon its passage.

Approved February 26, 1913.

An Act relative to the sale of commodities by weight. *Chap.* 164

Be it enacted, etc., as follows:

Section thirty-nine of chapter sixty-two of the Revised Laws is hereby amended by striking out the words "the hundredweight", in the first line, and inserting in place thereof the word: — weight, — and by striking out the words "packages of not more than one hundred pounds avoirdupois", in the second and third lines, and inserting in place thereof the words: — commodities so sold, — so as to read as follows: — *Section 39.* If commodities are sold by weight, it shall be understood to mean the net weight of all commodities so sold; and all contracts concerning goods sold by weight shall be understood and construed accordingly. R. L. 62, § 39 amended. "Weight", how construed.

Approved February 26, 1913.

An Act relative to the Salem police relief association. *Chap.* 165

Be it enacted, etc., as follows:

Section 1. The Salem Police Relief Association is hereby authorized to amend its constitution and by-laws so that members of the said corporation may continue as members after their connection with the police department of the city of Salem has ceased. Membership continued.

Section 2. This act shall take effect upon its passage.

Approved February 26, 1913.

Chap. 166 AN ACT TO INCORPORATE THE PILGRIM PUBLICITY ASSOCIATION.

Be it enacted, etc., as follows:

Pilgrim Publicity Association incorporated.

SECTION 1. Carroll J. Swan, Patrick F. O'Keefe and George W. Hopkins, their associates and successors, are hereby made a corporation by the name of the Pilgrim Publicity Association, to be located in Boston, for the purpose of promoting the commercial enterprises and resources of New England, particularly by studying and improving the methods of advertising; of serving as a publicity bureau for all New England business associations desiring expert assistance on questions relative to advertising and general publicity; of promoting among New England merchants and manufacturers a thorough understanding of the utility of good advertising when applied to the building up of all kinds of business; and of maintaining a building or rooms for its meetings and for the social intercourse of its members.

May adopt by-laws, hold real or personal estate, etc.

SECTION 2. The said association may adopt by-laws, consistent with law, for the government and regulation of its affairs, and may take and hold real or personal estate to the amount of five hundred thousand dollars, with authority to sell, purchase, mortgage, lease, or rent the same, or any part thereof.

SECTION 3. This act shall take effect upon its passage.

Approved February 26, 1913.

Chap. 167 AN ACT TO AUTHORIZE THE WORCESTER ART MUSEUM TO HOLD ADDITIONAL REAL AND PERSONAL ESTATE.

Be it enacted, etc., as follows:

May hold additional real and personal estate, etc.

SECTION 1. The Worcester Art Museum may hold, in addition to the amount of real and personal property which it is authorized to hold by chapter three hundred and twelve of the acts of the year nineteen hundred and six, the land occupied by it for the purposes for which it was incorporated, the buildings erected or which may be erected thereon, and the works of art contained therein.

SECTION 2. This act shall take effect upon its passage.

Approved February 26, 1913.

An Act relative to the Boston firemen's relief fund. *Chap.* 168

Be it enacted, etc., as follows:

Section one of chapter three hundred and eight of the acts of the year nineteen hundred and nine is hereby amended by inserting after the word "Boston", in the fourth line, the words: — of whom four shall be officers of the department, — so as to read as follows: — *Section 1.* The fire commissioner of the city of Boston for the time being and his successors in office, and twelve members of the fire department of the city of Boston, of whom four shall be officers of the department, to be chosen as hereinafter provided, and their successors, shall constitute a body corporate for the purpose of receiving and holding all sums of money, and real and personal estate not exceeding in the aggregate four hundred thousand dollars, which may be given, granted, bequeathed or devised to it for the benefit of members of the Boston fire department and members of the Boston protective department or their families requiring assistance, or for the benefit of any persons, or the families of any persons, who have been such members, and who require assistance. The property so held and the corporation hereby created shall be known as The Boston Firemen's Relief Fund. The said corporation shall have authority to manage and dispose of the said fund and the income thereof according to its discretion, subject to the provisions of any trusts which may be created for the purpose aforesaid. Said corporation shall have all the powers and privileges and be subject to all the duties, restrictions and liabilities set forth in all general laws now or hereafter in force relating to similar corporations: *provided*, that said corporation shall not be subject to the laws relating to life or accident insurance companies or to the laws relating to fraternal beneficiary societies; and, *provided, further*, that it shall not be summoned as trustee in any action or process against any person or persons who may hereafter be entitled to assistance from said corporation. *Approved February 26, 1913.*

1909, 308, § 1 amended.

The Boston Firemen's Relief Fund incorporated.

Powers and duties, etc.

Provisos.

Chap. 169 AN ACT TO AUTHORIZE THE CITY OF BROCKTON TO BORROW MONEY FOR HIGHWAY IMPROVEMENTS.

Be it enacted, etc., as follows:

Brockton Special Highway Loan, Act of 1913.

SECTION 1. The city of Brockton, for the purpose of extending Centre street westerly to Warren avenue and City Hall square southerly to Crescent street, both being public highways in that city, is hereby authorized to borrow the sum of one hundred and fifty thousand dollars, and to issue therefor, from time to time, its bonds, notes or scrip; and the same shall not be reckoned in determining the statutory limit of indebtedness of the city. Such bonds, notes or scrip shall bear on their face the words, Brockton Special Highway Loan, Act of 1913; shall be payable at the expiration of periods not exceeding thirty years from the date of issue; shall bear interest, payable semi-annually, at a rate not exceeding four and one half per cent per annum, and shall be signed by the treasurer of the city and countersigned by the mayor. The city may sell the said securities at public or private sale, upon such terms and conditions as it may deem proper, but they shall not be sold for less than their par value, and the proceeds shall be used solely for the purpose herein specified.

Payment of loan.

SECTION 2. The city, at the time of authorizing the said loan, shall provide for the payment thereof in such annual proportionate payments, beginning not more than one year after the first issue of any of such bonds, notes or scrip, as will extinguish the same within the time prescribed by this act; and when a vote to that effect has been passed a sum sufficient to pay the interest as it accrues, and to make such payments on the principal as may be required by the provisions of this act, shall, without further vote, be assessed by the assessors of the city in each year thereafter, in the same manner in which other taxes are assessed, until the debt incurred by said loan is extinguished.

May take, and hold certain lands, etc.

SECTION 3. In order to carry out the purposes of this act the city of Brockton is authorized to take in fee, or to acquire by purchase or otherwise, and to hold all lands, rights of way and easements necessary therefor, with all buildings and other structures on the land, as the same are hereinafter described, to wit: — First: For the extension of Centre street to Warren avenue. The whole or parts of two strips of land, one on the northerly and one on the southerly

side of the proposed highway as the same is laid out on a plan on file in the office of the city engineer of said city, showing substantially the location of said highway; said strips to be not more than one hundred feet in depth. Second: For the extension of City Hall square to Crescent street. The whole or parts of two strips of land, one on the easterly and one on the westerly side of the proposed highway as the same is laid out on a plan on file in the office of the city engineer of said city, showing substantially the location of said highway; the strip on the westerly side to be not more than sixty-five feet in depth, and the strip on the easterly side to be not more than one hundred feet in depth.

Remainder of land taken may be sold, etc.

Section 4. After so much of the land or property taken under authority of this act has been appropriated for the said street as is needed therefor, the highway commission of the city, with the approval of the mayor, may sell and convey by proper instruments, with or without restrictions, the remaining parts of such land, if any, for such value or consideration as the commission, with the approval of the mayor, may deem expedient.

Damages.

Section 5. The said city shall pay all damages sustained by any person or corporation by the taking of any land, rights of way or easements, or by any other thing done by the city under authority of this act. Any person or corporation sustaining damages as aforesaid and failing to agree with the city as to the amount thereof may have the same determined according to the provisions of law applicable to the taking of land for highway purposes.

Section 6. This act shall take effect upon its passage.

Approved February 26, 1913.

An Act making appropriations for deficiencies in appropriations for certain educational expenses authorized in the year nineteen hundred and twelve. *Chap.* 170

Be it enacted, etc., as follows:

Appropriations.

Section 1. The sums hereinafter mentioned are hereby appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, for the payment of certain expenses in excess of the appropriations therefor in the year nineteen hundred and twelve, to wit: —

School superintendents.

For enabling small towns to provide themselves with school superintendents, the sum of three hundred fifty-four dollars and forty-seven cents.

Tuition in high schools.

For the payment of tuition in high schools, as provided by section three of chapter forty-two of the Revised Laws, the sum of seventy-two hundred thirty dollars and forty-six cents.

SECTION 2. This act shall take effect upon its passage.

Approved February 26, 1913.

Chap. 171 AN ACT TO AUTHORIZE THE CITY OF BROCKTON TO MAKE AN ADDITIONAL WATER LOAN.

Be it enacted, etc., as follows:

Brockton Water Loan, Act of 1913.

SECTION 1. The city of Brockton, for the purposes named in chapter one hundred and twenty-four of the acts of the year eighteen hundred and seventy-eight, may issue from time to time bonds, notes or scrip to an amount not exceeding one hundred thousand dollars in addition to the amounts heretofore authorized by law to be issued by said city for water works purposes; and the same shall not be reckoned in determining the statutory limit of indebtedness of the city. Such bonds, notes or scrip shall bear on their face the words, Brockton Water Loan, Act of 1913; shall be payable at the expiration of periods not exceeding thirty years from their dates of issue; shall bear interest, payable semi-annually, at a rate not exceeding four and one half per cent per annum; and shall be signed by the treasurer of the city and countersigned by the mayor. The city may sell such securities at public or private sale upon such terms and conditions as it may deem proper; but they shall not be sold for less than their par value; and no part of the proceeds of the sale of said bonds, notes or scrip shall be used in payment of running expenses.

Payment of loan.

SECTION 2. The city shall, at the time of authorizing the said loan, provide for the payment thereof in such annual proportionate payments, beginning not more than one year after the date of each respective issue of such bonds, notes or scrip as will extinguish the same within the time prescribed by this act; but the amount of any annual payment upon any loan in any year shall not be less than the amount of the principal of such loan payable in any subsequent year; and when a vote to that effect has been passed, a sum which, with the income derived from water rates, will be sufficient to pay the annual expense of operating its water works and the interest as it accrues on the bonds, notes or scrip issued as aforesaid by said city, and to make such payments on the

principal as may be required under the provisions of this act shall, without further vote, be assessed by the assessors of the city annually thereafter, in the same manner in which other taxes are assessed, until the debt incurred by said loan is extinguished.

Time of taking effect.

Section 3. This act shall take effect upon its acceptance by the city council of the city of Brockton.

Approved February 26, 1913.

An Act relative to playgrounds in the city of Worcester. *Chap.* 172

Be it enacted, etc., as follows:

Public playgrounds may be provided in the city of Worcester.

Section 1. The park commissioners of the city of Worcester may, upon request of the city council, set apart portions of public parks existing in that city for the purposes of public playgrounds, which shall thereafter be under the control of the playground commission. The areas so set apart shall be described by metes and bounds, and a plan thereof shall be filed with the clerk of the park commission and in the offices of the city clerk and city engineer before the same shall become public playgrounds under control of the playground commission.

Plan to be filed, etc.

Section 2. This act shall take effect upon its passage.

Approved February 26, 1913.

An Act relative to the water loan of the town of Ashburnham. *Chap.* 173

Be it enacted, etc., as follows:

1912, 328, § 5 amended.

Section 1. Section five of chapter three hundred and twenty-eight of the acts of the year nineteen hundred and twelve is hereby amended by striking out the words "the date", in the eighth line, and inserting in place thereof the words: — their respective dates, — so as to read as follows: — *Section 5.* Said town, for the purpose of paying the necessary expenses and liabilities incurred under the provisions of this act, may issue from time to time, bonds, notes or scrip to an amount not exceeding twenty-five thousand dollars. Such bonds, notes or scrip shall bear on their face the words, Town of Ashburnham Water Loan, Act of 1912; shall be payable at the expiration of periods not exceeding thirty years from their respective dates of issue; shall bear interest, payable semi-annually, at a rate not exceeding

Town of Ashburnham Water Loan, Act of 1912.

four and one half per cent per annum; and shall be signed by the treasurer of the town and countersigned by the water commissioners hereinafter provided for. The town may sell such securities at public or private sale, upon such terms and conditions as it may deem proper, but they shall not be sold for less than their par value.

1912, 328, § 6, amended.

SECTION 2. Section six of said chapter three hundred and twenty-eight is hereby amended by striking out the words "said loan", in the second line, and inserting in place thereof the words: — each issue of such bonds, notes or scrip, — by striking out the words "after the first issue of such bonds, notes or scrip", in the fourth line, and inserting in place thereof the words: — after the date of such issue, — by striking out the word "same", in the fifth line, and inserting in place thereof the words: — said issue, — and by striking out the word "time", in the fifth line, and inserting in place thereof the words: — thirty-year period, — so as to read as follows: — *Section 6.* Said town shall at the time of authorizing each issue of such bonds, notes or scrip, provide for the payment thereof in such annual proportionate payments, beginning not more than one year after the date of such issue, as will extinguish said issue within the thirty-year period prescribed by this act; and when a vote to that effect has been passed, a sum which with the income derived from water rates will be sufficient to pay the annual expense of operating its water works and the interest as it accrues on the bonds, notes or scrip issued as aforesaid by the town, and to make such payments on the principal as may be required under the provisions of this act, shall without further vote be assessed by the assessors of the town annually thereafter, in the same manner in which other taxes are assessed, until the debt incurred by said loan is extinguished.

Payment of loan.

Approved February 26, 1913.

Chap. 174 AN ACT TO AUTHORIZE FIRE INSURANCE COMPANIES TO INSURE AGAINST DAMAGE BY HAIL.

Be it enacted, etc., as follows:

1907, 576, § 32, etc., amended.

SECTION 1. Section thirty-two of chapter five hundred and seventy-six of the acts of the year nineteen hundred and seven, as amended by chapter four hundred and ninety-nine of the acts of the year nineteen hundred and ten, is hereby further amended by inserting after the word "lightning", in the fourth line of clause First, the word: — hail, — so

that said clause First will read as follows: — First, To insure upon the stock or mutual plan against loss or damage to property and loss of use and occupancy by fire; explosion, fire ensuing; explosion, no fire ensuing, except explosion of steam boilers and fly wheels; lightning, hail, or tempest on land; bombardment; a rising of the waters of the ocean or its tributaries, or by any two or more of said causes. To insure against loss by fire, etc.

Section 2. This act shall take effect upon its passage.

Approved February 26, 1913.

An Act to extend the limits of the Foxborough water supply district and to authorize said district to increase its indebtedness. *Chap.* 175

Be it enacted, etc., as follows:

Section 1. The inhabitants of the town of Foxborough not included in the limits either of the Foxborough Water Supply District or the East Foxborough Water Supply District are hereby annexed to, and made a part of the said Foxborough Water Supply District, and shall hereafter be entitled to all the rights and privileges and be subject to all the liabilities originally conferred and imposed upon said district by its act of incorporation, and by all acts in amendment thereof and in addition thereto; and all lands and other estate in said town, not included in the East Foxborough Water Supply District, together with all portions of streets and townways of said town not included in the East Foxborough Water Supply District, shall hereafter be treated and affected in all ways and to all intents and purposes, as if originally included within the limits of said Foxborough Water Supply District, and hereafter in said act of incorporation and in all acts in amendment thereof and in addition thereto the terms "the district", "said district", "said water supply district", and "the Foxborough Water Supply District", shall be construed as applying to the whole district, including that part hereby annexed thereto: *provided, however,* that no estate included in said annexed part of the district shall be subject to any tax voted by said district if, in the judgment of the assessors of the town of Foxborough, such estate is so situated that it can receive no aid for the extinguishment of fire from the system of water supply constructed in said district, or if the estate is so situated that the buildings thereon or the buildings that might be Foxborough Water Supply District extended.

Proviso.

constructed thereon, in any ordinary or reasonable manner, could not be supplied with water from said system.

Foxborough Water Supply District Water Loan, Act of 1913.

SECTION 2. The Foxborough Water Supply District, for the purpose of extending its water service on Central, Spring and County streets, and to the Mansfield and Foxborough town line, may issue bonds, notes or scrip to an amount not exceeding twenty thousand dollars. Such bonds, notes or scrip shall bear on their face the words, Foxborough Water Supply District Water Loan, Act of 1913; shall be payable at the expiration of periods not exceeding twenty years from their respective dates of issue; shall bear interest, payable semi-annually, at a rate not exceeding four and one half per cent per annum; and shall be signed by the treasurer and countersigned by the board of water commissioners of said district. The district may sell such securities at public or private sale, for the purposes of this act, upon such terms and conditions as it may deem proper, but they shall not be sold for less than their par value.

Payment of loan.

SECTION 3. Said district shall, at the time of authorizing each issue of said bonds, notes or scrip, provide for the payment thereof in such annual proportionate payments, beginning not more than one year after the date of such issue, as will extinguish the same within the time prescribed by this act; and when a vote to that effect has been passed, a sum which, with the income derived from water rates, will be sufficient to pay the annual expense of operating its water works and the interest as it accrues on the said bonds, notes or scrip, and to make such payments on the principal as may be required under the provisions of this act, shall without further vote be assessed and collected by said district in each year thereafter in a manner similar to that in which other taxes are assessed, until the debt incurred by said loan is extinguished.

Time of taking effect.

SECTION 4. This act shall take effect when accepted by a majority of the legal voters of said district present and voting thereon at a legal meeting called for that purpose.

Approved February 26, 1913.

Chap. 176 AN ACT TO ESTABLISH THE BUSHEL WEIGHTS OF CERTAIN VARIETIES OF PEAS AND BEANS AND OF ROUGH RICE.

Be it enacted, etc., as follows:

R. L. 62, § 4, etc., amended.

SECTION 1. Section four of chapter sixty-two of the Revised Laws, as amended by chapter two hundred and ninety-seven of the acts of the year nineteen hundred and

ten and by chapter two hundred and eighty-four of the acts of the year nineteen hundred and twelve, is hereby further amended by inserting before the word "peas", in the fifth line, the word: — smooth, — by inserting after the word "pounds", in the same line, the words: — of wrinkled peas, fifty-six pounds, — by inserting after the words "sixty pounds", in the fourteenth line, the words: — of lima beans, fifty-six pounds; of scarlet runner pole beans or of white runner pole beans, fifty pounds; of broad Windsor beans, forty-seven pounds, — and by striking out the word "forty-five", in the fifteenth line, and inserting in place thereof the word: — forty-four, — so as to read as follows: — *Section 4.* The bushel of wheat shall contain sixty pounds; of Indian corn or of rye, fifty-six pounds; of barley, forty-eight pounds; of oats, thirty-two pounds; of corn meal, fifty pounds; of rye meal, fifty pounds; of smooth peas, sixty pounds; of wrinkled peas, fifty-six pounds; of soy beans (glycine hispida), fifty-eight pounds; of potatoes, sixty pounds; of apples, forty-eight pounds; of carrots, fifty pounds; of onions, fifty-two pounds; of clover seed, sixty pounds; of herdsgrass or timothy seed, forty-five pounds; of Japanese barnyard millet (panicum crusgalli), thirty-five pounds; of bran and shorts, twenty pounds; of flaxseed, fifty-five pounds; of coarse salt, seventy pounds; of fine salt, fifty pounds; of lime, seventy pounds; of sweet potatoes, fifty-four pounds; of beans, sixty pounds; of lima beans, fifty-six pounds; of scarlet runner pole beans or of white runner pole beans, fifty pounds; of broad Windsor beans, forty-seven pounds; of dried apples, twenty-five pounds; of dried peaches, thirty-three pounds; of rough rice, forty-four pounds; of upland cotton seed, thirty pounds; of sea island cotton seed, forty-four pounds; of buckwheat, forty-eight pounds; of beets, sixty pounds; of cranberries, thirty-two pounds; of pears, fifty-eight pounds; of parsnips, forty-five pounds; of roasted peanuts, twenty pounds; of green peanuts, twenty-two pounds; of peaches, forty-eight pounds; of tomatoes, fifty-six pounds; of turnips, fifty-five pounds; of quinces, forty-eight pounds; of string beans, twenty-four pounds; of shell beans, twenty-eight pounds; of unshelled green peas, twenty-eight pounds; of dandelions, twelve pounds; of spinach, twelve pounds; of beet greens, twelve pounds; of kale, twelve pounds; and of parsley, eight pounds.

Bushel weight of certain commodities established.

Section 2. This act shall take effect upon its passage.

Approved February 26, 1913.

Chap. 177 AN ACT RELATIVE TO THE LIQUIDATION OF CORPORATIONS AND INDIVIDUAL BANKERS SUBJECT TO THE SUPERVISION OF THE BANK COMMISSIONER.

Be it enacted, etc., as follows:

1910, 399, § 3, amended.

Section three of chapter three hundred and ninety-nine of the acts of the year nineteen hundred and ten is hereby amended by adding at the end thereof the words: — *provided, however,* that if, in his judgment, it is for the public interest so to do, he may retain in behalf of the bank the control, prosecution or defence of any undetermined suits or claims brought in behalf of or against the bank under the provisions of section five of this act during the time when the bank was in his charge, and the expense of prosecuting or defending such suits or claims shall be paid from the funds of such bank, — so as to read as follows: — *Section 3.* Upon taking possession of the property and business of any bank, the bank commissioner shall forthwith give notice of that fact to any and all banks, trust companies, associations and individuals holding or having possession of any assets of such bank. No bank, trust company, association or individual knowing that the bank commissioner has taken such possession, or having been notified thereof as aforesaid, shall have a lien or charge for any payment, advance or clearance thereafter made, or liability thereafter incurred, against any of the assets of the bank of whose property and business the bank commissioner shall have taken possession as aforesaid. Such bank may, with the consent of the bank commissioner, resume business upon such conditions as he may approve: *provided, however,* that if, in his judgment, it is for the public interest so to do, he may retain in behalf of the bank the control, prosecution or defence of any undetermined suits or claims brought in behalf of or against the bank under the provisions of section five of this act during the time when the bank was in his charge, and the expense of prosecuting or defending such suits or claims shall be paid from the funds of such bank.

Bank commissioner to give notice of taking possession of property, etc., of any bank, etc.

Bank may resume business, etc.

Proviso.

Approved February 26, 1913.

AN ACT RELATIVE TO THE RECEIVING OF MONEY FOR TRANSMISSION TO FOREIGN COUNTRIES. *Chap.* 178

Be it enacted, etc., as follows:

1910, 338, § 1, amended.

Section one of chapter three hundred and thirty-eight of the acts of the year nineteen hundred and ten is hereby amended by striking out the words "doing an interstate or international business", in the twelfth line, and inserting in place thereof the words: — having contracts with railroad or steamship companies for the operation of an express service upon the lines of such companies, — so as to read as follows: — *Section 1.* The provisions of chapter four hundred and twenty-eight of the acts of the year nineteen hundred and five, and of all acts in amendment thereof and in addition thereto, relative to the receiving of deposits of money for the purpose of transmitting the same to foreign countries shall apply to all persons, partnerships, associations or corporations that carry on the business, or make a practice, of receiving deposits of money for the purpose of transmitting the same or equivalents thereof to foreign countries or states: *provided, however,* that this act shall not apply to banks or trust companies, nor to express companies having contracts with railroad or steamship companies for the operation of an express service upon the lines of such companies, or to persons, partnerships, corporations or associations engaged in the banking or brokerage business.

The provisions of 1905, 428, etc., to apply to the receiving of money for transmission to foreign countries.

Proviso.

Approved February 26, 1913.

AN ACT RELATIVE TO BONDS GIVEN BY CERTAIN BANKS, ASSOCIATIONS AND PERSONS. *Chap.* 179

Be it enacted, etc., as follows:

1906, 408, § 1, etc., amended.

Section one of chapter four hundred and eight of the acts of the year nineteen hundred and six, as amended by section one of chapter three hundred and seventy-seven of the acts of the year nineteen hundred and seven, is hereby further amended by inserting after the word "country", in the nineteenth line, the words: — and in the event of the insolvency or bankruptcy of the principal upon the payment of the full amount of such bond to the assignee, receiver or trustee of the principal, as the case may require, for the benefit of such persons as shall deliver money to said principal for safe

Certain corporations, etc., receiving deposits, etc., to give bond, etc.

keeping or for the purpose of transmitting the same to a foreign country, — so as to read as follows: — *Section 1.* All persons, partnerships, associations or corporations now or hereafter engaged in the selling of steamship or railroad tickets for transportation to or from foreign countries, or in the supplying of laborers, that, in conjunction with said business, carry on the business of receiving deposits of money for safe keeping, or for the purpose of transmitting the same, or equivalents thereof, to foreign countries, or for any other purpose, shall, before entering into or continuing in the said business, except as hereinafter provided, make, execute and deliver a bond to the treasurer and receiver general in such sum as the bank commissioner may deem necessary to cover money or deposits received for the aforesaid purposes by such persons, partnerships, associations or corporations, the bond to be conditioned upon the faithful holding and repayment of the money deposited as aforesaid, and upon the faithful holding and transmission of any money, or equivalent thereof, which shall be delivered to them for transmission to a foreign country, and in the event of the insolvency or bankruptcy of the principal upon the payment of the full amount of such bond to the assignee, receiver or trustee of the principal, as the case may require, for the benefit of such persons as shall deliver money to said principal for safe keeping or for the purpose of transmitting the same to a foreign country. If any person, partnership or member of a partnership, or any association or corporation engaged or financially interested in the selling of tickets or supplying of laborers as aforesaid is also engaged or financially interested in the business of receiving deposits of money as aforesaid, or if any person, partnership or member of a partnership, or any association or corporation engaged or financially interested in the business of receiving deposits of money as aforesaid is also engaged or financially interested in the selling of tickets or supplying of laborers as aforesaid, such person, partnership, member of a partnership, association or corporation, shall be held to be subject to the provisions of this section, under whatever name or by whatever persons the said business of selling tickets or supplying laborers or the said business of receiving deposits is carried on. *Approved February 26, 1913.*

An Act relative to bonds of treasurers of bar associations in control of law libraries. *Chap.* 180

Be it enacted, etc., as follows:

Section 1. Section one of chapter two hundred and forty-one of the acts of the year nineteen hundred and twelve is hereby amended by inserting after the word "association", in the first and second lines, the words: — and of every bar association having in charge a law library supported in whole or part by the county, — so as to read as follows: — *Section 1.* The treasurer of every law library association, and of every bar association having in charge a law library supported in whole or part by the county, before receiving any money from the county treasurer, shall give bond, with sureties to the satisfaction of the county commissioners, for the faithful application of such money, and that he will make a return annually to the county treasurer, under oath, of the manner in which it has been expended, fully itemizing all receipts and expenditures and accompanying the same with proper vouchers.

1912, 241, § 1, amended.

Treasurers of law library associations, etc., to give bond.

Section 2. This act shall take effect upon its passage.

Approved February 26, 1913.

An Act to provide for limited licenses for insurance brokers. *Chap.* 181

Be it enacted, etc., as follows:

Section 1. In addition to issuing brokers' licenses giving the full authority to the licensee as set forth in section ninety-five of chapter five hundred and seventy-six of the acts of the year nineteen hundred and seven, as amended by chapter four hundred and twenty-nine of the acts of the year nineteen hundred and eleven, the insurance commissioner is authorized, at his discretion, to issue insurance brokers' licenses which limit the authority of the licensee to the extent agreed upon with the applicant and set forth in the license issued to him, but in other respects the granting of such licenses and the brokers so licensed shall be governed by the provisions of law relating to insurance brokers.

Limited licenses may be issued to insurance brokers, etc.

Section 2. This act shall take effect upon its passage.

Approved February 26, 1913.

*Chap.*182 AN ACT RELATIVE TO PASSING THROUGH CEMETERIES.

Be it enacted, etc., as follows:

Passing through cemeteries, etc., regulated.

SECTION 1. No person shall use as a means of passage from one point to another, not being thereupon at the time for any other purpose, the premises of a cemetery or burial place for the human dead, in any other parts thereof than the defined ways, paths and walks.

Penalty.

SECTION 2. Violation of the provisions of this act shall be punished by a fine not exceeding twenty dollars.

Approved February 26, 1913.

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*Chap.*183 AN ACT TO AUTHORIZE THE CITY OF NEW BEDFORD TO INCUR INDEBTEDNESS FOR THE PURPOSE OF SEWER CONSTRUCTION.

Be it enacted, etc., as follows:

The city of New Bedford may incur indebtedness for sewer construction.

SECTION 1. The city of New Bedford, for the purpose of sewer construction in that city, may incur indebtedness, beyond the limit fixed by law, to an amount not exceeding one hundred thousand dollars, and may issue bonds, notes or scrip therefor. Such bonds, notes or scrip shall be payable within such periods, not exceeding thirty years from the dates of issue, and shall bear such rate of interest, not exceeding four per cent per annum, payable semi-annually, as the city council shall determine. Except as otherwise provided herein, the provisions of chapter four hundred and ninety of the acts of the year nineteen hundred and nine shall, so far as they may be applicable, apply to the indebtedness hereby authorized and to the securities issued therefor.

Certain provisions of law to apply.

Payment of loan.

SECTION 2. The city council of the city shall, at the time of authorizing the said loan, provide for the payment thereof in such annual proportionate payments as will extinguish the same within the time prescribed in this act; and thereafter, without further action by the city council, the amount required for such payments shall annually be assessed by the assessors of the city, in the same manner in which other taxes are assessed, until the debt incurred by the said loan is extinguished.

SECTION 3. This act shall take effect upon its passage.

Approved February 26, 1913.

An Act making appropriations for the salaries and expenses of the state board of charity and for sundry other charitable expenses. *Chap.* 184

Be it enacted, etc., as follows:

Section 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, for the salaries and expenses of the state board of charity and for sundry charitable expenses, for the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen, to wit: — Appropriations, state board of charity.

STATE BOARD OF CHARITY.

For expenses, including travelling of members and salaries and expenses in the board's central office, a sum not exceeding twenty-two thousand dollars. Expenses of the board.

For printing and binding the annual report, a sum not exceeding twenty-six hundred dollars. Annual report.

For salaries and expenses in the division of state adult poor, a sum not exceeding fifty-seven thousand four hundred and six dollars. State adult poor.

For salaries and expenses in the division of state minor wards, a sum not exceeding eighty-one thousand six hundred dollars. State minor wards.

For travelling and other necessary expenses of the auxiliary visitors of the board, a sum not exceeding twelve hundred dollars. Expenses of auxiliary visitors.

MISCELLANEOUS CHARITABLE.

For transportation of state paupers under charge of the state board of charity, including transportation of prisoners released on probation from the state farm, and travelling and other expenses of probation visitors, for the present year and for previous years, a sum not exceeding sixteen thousand dollars. Transportation of state paupers.

For the care and maintenance of indigent and neglected children and juvenile offenders, for the present year and for previous years, to include expenses in connection with the same, a sum not exceeding five hundred and four thousand dollars. Indigent and neglected children, etc.

For expenses in connection with smallpox and other diseases dangerous to the public health, for the present year Dangerous diseases.

and for previous years, a sum not exceeding forty-five thousand dollars.

Tuition of certain children.

For tuition in the public schools, including transportation to and from said schools, of children boarded or bound out by the state board of charity, for the present year and for previous years, a sum not exceeding forty thousand dollars.

Sick state paupers.

For the support of sick state paupers by cities and towns, for the present year and for previous years, the same to include cases of wife settlement, a sum not exceeding sixty-five thousand dollars.

Burial of state paupers.

For the burial of state paupers by cities and towns, for the present year and for previous years, a sum not exceeding ten thousand dollars.

Temporary aid, etc.

For temporary aid rendered to state paupers and shipwrecked seamen by cities and towns, for the present year and for previous years, a sum not exceeding fifty thousand dollars.

Unsettled pauper infants.

For the support and transportation of unsettled pauper infants in infant asylums, for the present year and for previous years, a sum not exceeding fifty-eight thousand dollars.

SECTION 2. This act shall take effect upon its passage.

Approved February 26, 1913.

Chap. 185 AN ACT MAKING APPROPRIATIONS FOR THE SALARIES AND EXPENSES OF THE STATE BOARD OF AGRICULTURE AND FOR SUNDRY OTHER AGRICULTURAL EXPENSES.

Be it enacted, etc., as follows:

Appropriations, state board of agriculture.

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, for the state board of agriculture, for the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen, to wit: —

Secretary.

For the salary of the secretary, twenty-five hundred dollars.

First clerk.

For the salary of the first clerk, eighteen hundred dollars.

Second clerk.

For the salary of the second clerk, fourteen hundred dollars.

Expenses of secretary.

For travelling and other necessary expenses of the secretary, a sum not exceeding five hundred dollars.

Clerical assistance, etc.

For additional clerical assistance and for lectures before the board at its annual meeting and other meetings, a sum not exceeding sixteen hundred dollars.

For printing and binding the annual report, a sum not exceeding six thousand dollars. Annual report.

For incidental and contingent expenses, including printing and furnishing extracts from trespass laws, a sum not exceeding sixteen hundred dollars. Incidental expenses, etc.

For travelling and other necessary expenses of the members, a sum not exceeding thirteen hundred dollars. Expenses of members.

For disseminating useful information in agriculture by means of lectures at farmers' institutes, a sum not exceeding six thousand dollars. Disseminating useful information.

For bounties to agricultural societies, a sum not exceeding thirty-two thousand dollars. Bounties to agricultural societies.

For bounty to encourage and improve the breeding of poultry, the sum of one thousand dollars. Breeding of poultry.

For the encouragement of orcharding, the sum of five hundred dollars. Orcharding.

DAIRY BUREAU.

For the salary of the executive officer, five hundred dollars. Dairy bureau, executive officer.

For the salary of a general agent, eighteen hundred dollars. General agent.

For assistants, experts, chemists, agents and other necessary expenses, including printing the annual report, a sum not exceeding eight thousand dollars. Assistants, etc.

MISCELLANEOUS.

For compensation and expenses of the state nursery inspectors, including expenses in connection with the importation of nursery stock from other states, provinces or countries, a sum not exceeding fifteen thousand dollars. State nursery inspectors, etc.

For the compensation and expenses of the inspector of apiaries, a sum not exceeding two thousand dollars. Inspector of apiaries.

For the encouragement of agriculture by the holding of special exhibitions, a sum not exceeding two thousand dollars. Special exhibitions.

For the salary of the state ornithologist, fifteen hundred dollars. State ornithologist, salary.

For travelling and other necessary expenses of the state ornithologist, a sum not exceeding five hundred dollars. Expenses.

SECTION 2. This act shall take effect upon its passage.

Approved February 26, 1913.

Chap. 186 AN ACT MAKING APPROPRIATIONS FOR THE PAYMENT OF ANNUITIES AND PENSIONS TO SOLDIERS AND OTHERS.

Be it enacted, etc., as follows:

Appropriations.

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, for annuities and pensions due from the commonwealth to soldiers and others, during the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen, to wit: —

Annuities.

For annuities, the sum of seventy-one hundred and thirty-four dollars.

Pensions.

For pensions, the sum of two hundred and eighty dollars.

SECTION 2. This act shall take effect upon its passage.

Approved February 26, 1913.

Chap. 187 AN ACT MAKING APPROPRIATIONS FOR THE SALARY AND EXPENSES OF THE STATE FORESTER.

Be it enacted, etc., as follows:

Appropriations.

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, for the state forester's department, for the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen, to wit: —

State forester, salary.

For the salary of the state forester, five thousand dollars.

Clerical assistance, etc.

For clerical assistance and incidental and contingent expenses, and for establishing forest tree nurseries, a sum not exceeding twenty thousand dollars.

Purchase of land.

For the purchase of land for reforestation, ten thousand dollars.

Prevention of forest fires.

To provide for the better prevention of forest fires, a sum not exceeding twenty thousand dollars.

Aiding towns in preventing, etc., forest fires, etc.

For aiding towns in preventing or extinguishing forest fires or in making protective belts or zones as a defence against forest fires, a sum not exceeding five thousand dollars.

SECTION 2. This act shall take effect upon its passage.

Approved February 26, 1913.

Chap. 188 AN ACT MAKING AN APPROPRIATION FOR THE SUPPRESSION OF THE GYPSY AND BROWN TAIL MOTHS.

Be it enacted, etc., as follows:

Suppression of gypsy and brown tail moths.

SECTION 1. The sum of one hundred and twenty-five thousand dollars is hereby appropriated, to be paid out of

the treasury of the commonwealth from the ordinary revenue, for the suppression of the gypsy and brown tail moths and for expenses incidental thereto, as authorized by chapter three hundred and eighty-one of the acts of the year nineteen hundred and five, the same to be in addition to the amounts heretofore appropriated for this purpose.

Section 2. This act shall take effect upon its passage.

Approved February 26, 1913.

An Act to authorize the city of Newton to lay, maintain and use sewers in the city of Waltham. *Chap.* 189

Be it enacted, etc., as follows:

Section 1. The city of Newton, with the consent of the board of aldermen of the city of Waltham, is hereby authorized to lay, maintain, repair and use common sewers in that part of Adams avenue which is in the city of Waltham, and in that part of Moody street which is between Adams avenue and the boundary line between the city of Newton and the city of Waltham, and to take, or acquire by purchase or otherwise any land or rights therein necessary for this purpose, and to construct, maintain, repair and use said sewer or sewers for the disposal of sewage of the city of Newton and as a part of the sewerage system of that city. The owner of any estate on Moody street or Adams avenue in the city of Waltham, whose estate is not sewerable in the sewerage system of said city, may enter the common sewer of the city of Newton, upon such terms and conditions as that city shall prescribe.

The city of Newton may lay, etc., sewers in certain parts of the city of Waltham.

Section 2. Any damages occasioned by the taking of land or any rights therein, or by the doing of any other act authorized hereby shall be ascertained and recovered as in the case of land taken for the laying out of ways or streets in the city of Newton.

Damages.

Section 3. This act shall take effect upon its passage.

Approved February 26, 1913.

An Act to place the superintendent of fire alarms in the city of Chelsea under the civil service laws. *Chap.* 190

Be it enacted, etc., as follows:

Section 1. The superintendent of fire alarms and inspector of wires in the city of Chelsea shall hereafter be placed under the civil service laws and regulations and his

Superintendent of fire alarms, etc., in Chelsea placed under

civil service laws, etc.

Present incumbent may continue in office, etc.

term of office shall be permanent, except that he may be removed in accordance with the civil service laws and the regulations made thereunder. But the person now holding the said office may continue therein without passing the civil service examination.

Act to be submitted to voters.

SECTION 2. This act shall be submitted to the voters of the city of Chelsea at the annual state election in the current year, and shall take effect upon its acceptance by a majority of the voters voting thereon; otherwise it shall not take effect. *Approved February 26, 1913.*

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*Chap.*191 AN ACT RELATIVE TO THE PAYMENT TO COUNTY TREASURERS BY CLERKS OF COURTS OF INTEREST ON MONEY PAID INTO THE SUPERIOR COURT.

Be it enacted, etc., as follows:

Interest on money paid into the superior court to be paid over to county treasurers, etc.

SECTION 1. Except in the county of Suffolk, all money paid into the superior court shall be placed at interest, if possible, by the clerks of courts, and the interest, over and above the amount accumulated on pending cases, shall be paid over to the county treasurer on the first day of January of each year, to be used for general county purposes.

SECTION 2. This act shall take effect upon its passage. *Approved February 26, 1913.*

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*Chap.*192 AN ACT TO AUTHORIZE THE TOWN OF AGAWAM TO BORROW ADDITIONAL MONEY FOR ITS WATER SUPPLY.

Be it enacted, etc., as follows:

Agawam Water Loan, Act of 1913.

SECTION 1. The town of Agawam, for the purposes specified in chapter three hundred and fifty-three of the acts of the year nineteen hundred and five, is hereby authorized to issue from time to time bonds or notes to an amount not exceeding one hundred thousand dollars in addition to amounts heretofore authorized by law to be issued by said town for water supply purposes. Bonds or notes issued under authority of this act shall bear on their face the words, Agawam Water Loan, Act of 1913; shall be payable by such annual payments, beginning not more than one year after their respective dates of issue, as will extinguish the loan within thirty years after the date of such issue; but the amount of such annual payment of

any loan in any year shall not be less than the amount of the principal of said loan payable in any subsequent year. Each authorized issue of bonds or notes shall constitute a separate loan. Said bonds or notes shall bear interest at a rate not exceeding four and one half per cent per annum, payable semi-annually, and shall be signed by the treasurer of the town and countersigned by a majority of the selectmen. The town may sell such bonds or notes at public or private sale, upon such terms and conditions as it may deem proper, but they shall not be sold for less than their par value.

Payment of loan.

Section 2. Said town shall, at the time of authorizing each issue of such bonds or notes provide for the payment thereof in accordance with section one of this act; and when a vote to that effect has been passed, a sum which with the income derived from water rates will be sufficient to pay the annual expense of operating its water works and the interest as it accrues on the bonds or notes issued as aforesaid by the town, and to make such payments on the principal as may be required under the provisions of this act, shall without further vote be assessed by the assessors of the town annually thereafter, in the same manner in which other taxes are assessed, until the debt incurred by said loan or loans is extinguished.

Section 3. This act shall take effect upon its passage.

Approved February 26, 1913.

An Act to authorize payment of a certain note by the town of Sherborn. *Chap.* 193

Be it enacted, etc., as follows:

Acts of the officers of the town of Sherborn relative to payment of a certain note legalized.

Section 1. The promissory note, known as the Sawin academy note, issued by the town of Sherborn, signed by the town treasurer, payable to the trustees of Sawin academy and dated December ten, eighteen hundred and eighty-six, for thirteen hundred and seventy-five dollars, of which three hundred dollars have been paid by said town, shall be deemed a legal and binding obligation of the town of Sherborn, and the acts of the officers of said town in authorizing and issuing the same and making payments of principal and interest thereon shall be deemed to have been lawful.

Payment of note.

Section 2. The town of Sherborn, for the purpose of discharging the said obligation, is hereby authorized to pay

the same, together with interest accrued thereon to the date of payment, out of any funds available or by tax levy.

SECTION 3. This act shall take effect upon its passage.

Approved February 26, 1913.

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*Chap.*194 AN ACT TO AUTHORIZE THE RESTORATION BY THE TOWN OF SHERBORN OF CERTAIN FUNDS FOR THE PERPETUAL CARE OF CEMETERY LOTS.

Be it enacted, etc., as follows:

Certain funds for perpetual care of cemetery lots in the town of Sherborn restored.

SECTION 1. The town of Sherborn is hereby authorized to restore by tax levy or by appropriation out of any funds available such respective amounts of divers funds paid into its treasury by various persons for the purpose of providing for the perpetual care of certain cemetery lots as have not been retained in its treasury nor been invested in accordance with the provisions of chapter two hundred and sixty-four of the acts of the year eighteen hundred and ninety and acts in amendment thereof.

To be used, etc., in accordance with certain provisions of law, etc.

SECTION 2. When restored, such funds shall be deemed to be funds established by the respective donors thereof, in accordance with said chapter two hundred and sixty-four, and acts in amendment thereof, and thereafter they shall be held, managed and invested and the income therefrom expended and accounted for as provided by said acts.

SECTION 3. This act shall take effect upon its passage.

Approved February 26, 1913.

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*Chap.*195 AN ACT RELATIVE TO THE NOMINATION OF CANDIDATES FOR TOWN OFFICES IN THE TOWNS OF ARLINGTON AND LEXINGTON.

Be it enacted, etc., as follows:

Filing of nomination papers in the towns of Arlington and Lexington legalized.

SECTION 1. The nomination papers of candidates for town offices in the towns of Arlington and Lexington if filed before five o'clock, P.M., on February twenty-fourth, in the current year, shall have the same effect as if they had been filed before the said hour on February twentieth, in the current year.

SECTION 2. This act shall take effect upon its passage.

Approved February 27, 1913.

An Act making appropriations for payment of state and military aid and expenses in connection therewith. *Chap.* 196

Be it enacted, etc., as follows:

Section 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, for the purposes specified, for the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen, to wit: — Appropriations.

For reimbursing cities and towns for money paid on account of state and military aid to Massachusetts volunteers and their families, a sum not exceeding seven hundred and sixty thousand dollars, the same to be paid on or before the fifteenth day of November in the year nineteen hundred and thirteen. State and military aid.

For the salary of the commissioner of state aid and pensions, twenty-five hundred dollars. Commissioner of state aid and pensions.

For the salary of the deputy commissioner, two thousand dollars. Deputy.

For the salaries of agents, forty-seven hundred dollars. Agents.

For the salaries of clerks, a sum not exceeding fifty-four hundred dollars. Clerks.

For incidental and contingent expenses, to include necessary travel, a sum not exceeding twenty-three hundred fifty-seven dollars and fifty cents. Expenses.

Section 2. This act shall take effect upon its passage.

Approved February 28, 1913.

An Act relative to the dam of the Turners Falls Company. *Chap.* 197

Be it enacted, etc., as follows:

Section 1. The Turners Falls Company is hereby authorized to raise the height of its present dam across the Connecticut river, or to build a new dam in place thereof, in substantially the same situation, to such height that the permanent crest of the dam shall be not more than three feet above the Francis Base, so-called, at Turners Falls. The dam shall be constructed and maintained subject to the provisions of chapters ninety-six and one hundred and ninety-six of the Revised Laws, and of all other general laws, so far Certain dam at Turners Falls may be raised, etc. Certain provisions of law to apply.

as such provisions are applicable thereto and not inconsistent herewith.

Section 2. This act shall take effect upon its passage.

Approved February 28, 1913.

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*Chap.*198 An Act to authorize the Haverhill Female Benevolent Society to hold additional real and personal estate.

Be it enacted, etc., as follows:

1854, 404, § 2, amended.

Section two of chapter four hundred and four of the acts of the year eighteen hundred and fifty-four is hereby amended by striking out the word "fifty", in the last line, and inserting in place thereof the words: — one hundred, — so as to read as follows: — *Section 2.* The said corporation may take and hold real and personal estate, for the purpose aforesaid, to an amount not exceeding one hundred thousand dollars.

May hold real and personal estate, etc.

Approved February 28, 1913.

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*Chap.*199 An Act to authorize the First Parish Church in Dorchester to hold additional property.

Be it enacted, etc., as follows:

May hold additional estate, etc.

Section 1. The First Parish Church in Dorchester may hold property, real and personal, the annual income of which shall not exceed fifteen thousand dollars.

Section 2. This act shall take effect upon its passage.

Approved February 28, 1913.

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*Chap.*200 An Act to incorporate the Westfield Baptist Association.

Be it enacted, etc., as follows:

Westfield Baptist Association incorporated.

Section 1. Benjamin D. Hahn, Robert B. Fisher, William W. Weeks, Herbert E. Thayer, John S. Lyon, Edwin B. Dolan and Warren L. Atherton, their associates and successors in the membership of the Westfield Baptist Association, are hereby made a corporation by the name of the Westfield Baptist Association for the purpose of continuing the work heretofore carried on by the voluntary association bearing the same name, and especially for the purpose of holding and managing a gift to said association by the will of Meriva L. Capen, alias Meriva Leach Capen, late of Palmer, in the county of Hampden, deceased, and any other

gifts or other funds hereafter received by said corporation, and with the powers and privileges and subject to the liabilities and duties now or hereafter conferred or imposed by general law upon such corporations.

Membership, etc.

Section 2. Upon the acceptance of this act by the said Westfield Baptist Association at a regular annual meeting, or at any special meeting duly called therefor, the corporation hereby created shall succeed to all the powers, rights and obligations of said association, and all members of said voluntary association shall thereupon become members of said corporation.

May hold real and personal estate.

Section 3. Said corporation may acquire by gift, grant, devise or purchase, and hold for the purposes aforesaid real and personal estate to the value of one million five hundred thousand dollars.

Exempt from taxation, etc.

Section 4. The property, real and personal, of said corporation shall be exempt from taxation in the same manner and to the same extent as the property of literary, benevolent, charitable and scientific institutions incorporated within this commonwealth.

Section 5. This act shall take effect upon its passage.

Approved February 28, 1913.

An Act to authorize the city of Worcester to take land in connection with the extension of Madison street. *Chap.* 201

Be it enacted, etc., as follows:

The city of Worcester may take land for certain purpose.

Section 1. The city of Worcester is hereby authorized to take in fee, in connection with the laying out and construction of a proposed street extending from Madison street to Canal street in that city, the whole or parts of lots of land, not exceeding one hundred and fifty feet in depth, on both the north and south sides of said street as proposed to be laid out; a plan made by the city engineer, showing substantially the location of the proposed diagonal street and the tracts which may be taken under authority hereof, being on file in the office of the city clerk for reference.

Remainder may be sold, etc.

Section 2. After so much of the land or property as shall be taken under authority of this act has been appropriated for the location of said street as is needed therefor, the street commissioner of the city may sell and convey by deeds, with or without restrictions, the remainder of such

land, if any, for such value or consideration as is approved by the mayor.

SECTION 3. This act shall take effect upon its passage.

Approved February 28, 1913.

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*Chap.*202 AN ACT TO AUTHORIZE THE TOWN OF SWAMPSCOTT TO INCUR ADDITIONAL INDEBTEDNESS FOR THE PURPOSE OF EXTENDING AND IMPROVING ITS SEWER SYSTEM.

Be it enacted, etc., as follows:

Swampscott Sewerage Loan, Act of 1913.

SECTION 1. The town of Swampscott, for the purpose of extending and improving its sewer system, and also for the purposes mentioned in chapter eighty-six of the acts of the year nineteen hundred and two and in chapter four hundred and one of the acts of the year nineteen hundred and three, may incur indebtedness and may issue from time to time bonds or notes therefor to an amount not exceeding one hundred thousand dollars in addition to the two hundred and fifty thousand dollars authorized by said chapters eighty-six and four hundred and one, and this additional amount shall not be reckoned in determining the legal limit of indebtedness of the town. The bonds or notes issued under authority of this act shall bear on their face the words, Swampscott Sewerage Loan, Act of 1913; shall be payable by such annual payments, beginning not more than one year after the respective dates thereof, as will extinguish each loan within thirty years from the date thereof; but the amount of such annual payment of any loan in any year shall not be less than the amount of the principal of said loan payable in any subsequent year. Each authorized issue of bonds or notes shall constitute a separate loan. Said bonds or notes shall bear interest at a rate not exceeding four and one half per cent per annum, payable semi-annually; shall be signed by the treasurer of the town and countersigned by a majority of the selectmen. The town may sell such bonds or notes at public or private sale, upon such terms and conditions as it may deem proper, but they shall not be sold for less than their par value.

Payment of loan.

SECTION 2. Said town shall at the time of authorizing said loan or loans provide for the payment thereof in accordance with section one of this act; and when a vote to that effect has been passed, a sum sufficient to pay the interest as it accrues on the bonds or notes issued as aforesaid by the town, and to make such payments on the principal as may

be required under the provisions of this act, shall without further vote be assessed by the assessors of the town annually thereafter, in the same manner in which other taxes are assessed, until the debt incurred by said loan or loans is extinguished.

Section 3. This act shall take effect upon its passage.

Approved February 28, 1913.

An Act to establish the Lunenburg water supply district. *Chap.* 203

Be it enacted, etc., as follows:

Lunenburg Water Supply District established.

Section 1. The inhabitants of the town of Lunenburg, liable to taxation in that town and residing within the territory enclosed by the following boundary lines, to wit: — Beginning in the most southwesterly part of Lunenburg, near Baker's pond, at the Fitchburg town line, and four hundred feet distant southerly from the southerly side line of Summer street; thence easterly in a line parallel with said Summer street and four hundred feet distant southerly therefrom to the Leominster town line; thence by the Leominster town line, crossing said Summer street, to a point four hundred feet distant northerly therefrom; thence in a line parallel with said Summer street and four hundred feet distant northerly therefrom, westerly to a point four hundred feet northeasterly from Graham street; thence in a line parallel with said Graham street and four hundred feet distant northeasterly therefrom, to a point four hundred feet easterly from Whalom road; thence in a line parallel with said Whalom road and four hundred feet distant easterly therefrom, northeasterly to a point four hundred feet southerly from Lesure avenue; thence in a line parallel with said Lesure avenue and four hundred feet distant southerly therefrom to the Leominster town line; thence by the Leominster town line northeasterly to the shore of Whalom lake; thence by the shore of Whalom lake northerly to a point four hundred feet southerly from Prospect street; thence in a line parallel with said Prospect street and four hundred feet distant southerly therefrom, easterly to the road leading from Lunenburg to Leominster; thence crossing said road, to a point four hundred feet distant easterly therefrom; thence in a line parallel with said road to Leominster, and four hundred feet distant therefrom, northerly to a point four hundred feet distant southerly from the intersection of

said road to Leominster with Lancaster avenue; thence southeasterly in a line parallel with said Lancaster avenue and four hundred feet distant southwesterly therefrom to the most southerly corner of the house of Edward B. Saunders; thence crossing said Lancaster avenue to a point four hundred feet distant northerly therefrom; thence in a line parallel with said Lancaster avenue and four hundred feet distant northeasterly therefrom, northwesterly to a point four hundred feet distant southeasterly from Whiting street; thence in a line parallel with said Whiting street and four hundred feet distant southerly therefrom, northeasterly to a point four hundred feet distant easterly from the intersection of the state road to Groton with the Northfield road; thence in a line parallel with said Northfield road and four hundred feet distant northeasterly therefrom, northwesterly to a point four hundred feet distant northwesterly from the house of Charles L. Sands; thence crossing said Northfield road in a line parallel with Oak avenue and four hundred feet northwesterly therefrom, southwesterly to a point four hundred feet northerly from Highland street; thence in a line parallel with said Highland street and four hundred feet distant northerly therefrom, northwesterly to the intersection of Holman street with Highland street; thence in a straight line southwesterly to a point four hundred feet distant northwesterly from the intersection of Chestnut street with the state road to Fitchburg; thence crossing said state road to a point four hundred feet distant southerly therefrom; thence in a line parallel with said state road and four hundred feet distant southerly therefrom, easterly to a point four hundred feet distant westerly from the said road to Leominster; thence in a line parallel with said road to Leominster and four hundred feet distant westerly therefrom, southerly to a point four hundred feet distant northerly from Prospect street; thence in a line parallel with Prospect street and four hundred feet distant northerly therefrom, westerly to a point four hundred feet distant easterly from Lake avenue; thence in a line parallel with Lake avenue and four hundred feet distant easterly therefrom, northerly, crossing Whalom road, to a point four hundred feet distant northwesterly from said Whalom road; thence in a line parallel with said Whalom road and four hundred feet distant northwesterly therefrom, southwesterly to a point four hundred feet distant northerly from Young's

road; thence in a line parallel with said Young's road and four hundred feet distant northerly therefrom, westerly to a point four hundred feet distant northerly from Summer street; thence in a line parallel with said Summer street and four hundred feet distant northerly therefrom, to the Fitchburg town line; thence by the Fitchburg town line southerly about eight hundred feet to the place of beginning, — shall constitute a water supply district, and are hereby made a body corporate by the name of Lunenburg Water Supply District, for the purpose of supplying themselves with water for the extinguishment of fires and for domestic and other purposes, with power to establish fountains and hydrants and to relocate and discontinue the same, to regulate the use of such water and to fix and collect rates to be paid therefor, and to take, or acquire by lease, purchase or otherwise, and to hold property, lands, rights of way and other easements for the purposes mentioned in this act, and to prosecute and defend all actions relating to the property and affairs of the district.

May take lands, water, sources, etc.

Section 2. Said water supply district, for the purposes aforesaid, may take, or acquire by purchase or otherwise, and hold, the waters of any pond or stream or of any ground sources of supply by means of driven, artesian or other wells within the town of Lunenburg, and the water rights connected with any such water sources. Said district may also take, or acquire by purchase or otherwise, and hold, all lands, rights of way and other easements necessary for collecting, storing, holding, purifying and preserving the purity of the water and for conveying the same to any part of said district: *provided, however*, that no source of water supply and no lands necessary for preserving the quality of the water, shall be taken or used without first obtaining the advice and approval of the state board of health, and that the situation of all dams, reservoirs and wells to be used as sources of water supply under this act shall be subject to the approval of said board. Said district may construct on the lands acquired and held under the provisions of this act proper dams, reservoirs, standpipes, tanks, buildings, fixtures and other structures, and may make excavations, procure and operate machinery and provide such other means and appliances, and do such other things as may be necessary for the establishment and maintenance of complete and effective water works; and for that purpose may construct

Proviso.

May erect structures, lay pipes, etc.

wells and reservoirs and establish pumping works, and may construct, lay and maintain aqueducts, conduits, pipes and other works under or over any land, water courses, railroads, railways and public or other ways, and along such ways in Lunenburg, in such manner as not unnecessarily to obstruct the same; and for the purpose of constructing, laying, maintaining, operating and repairing such conduits, pipes and other works, and for all proper purposes of this act, said district may dig up or raise and embank any such lands, highways or other ways in such manner as to cause the least hindrance to public travel; and all things done upon any such way shall be subject to the direction of the selectmen of the town of Lunenburg.

Description of lands, etc., taken to be recorded.

SECTION 3. Said water supply district shall, within ninety days after the taking of any lands, water rights, water sources, rights of way, or other easements under the provisions of this act, file and cause to be recorded in the registry of deeds for the county or district in which the same are situated a description thereof sufficiently accurate for identification, with a statement of the purpose for which the same were taken, signed by the water commissioners hereinafter provided for. The title to all land taken, purchased or acquired in any way under the provisions of this act shall vest in said Lunenburg Water Supply District, and the land so acquired may be managed, improved and controlled by the board of water commissioners hereinafter provided for, in such manner as they shall deem for the best interest of said district.

Damages.

SECTION 4. Said district shall pay all damages to property sustained by any person or corporation by the taking of any land, water, water source, water right, right of way or other easement, or by any other thing done by said district under authority of this act. Any person or corporation sustaining damages as aforesaid, and failing to agree with the district as to the amount thereof, may have the same determined in the manner provided by law in the case of land taken for the laying out of highways, on application at any time within two years after the taking of such land or other property or the doing of other injury under authority of this act; but no such application shall be made after the expiration of said two years; and no application for assessment of damages shall be made for the taking of any water, water right, or for any injury thereto, until the water is actually

withdrawn or diverted by the district under authority of this act. Said district may by vote, from time to time, determine what amount or quantity of water it proposes to take under this act; in which case any damages caused by such taking shall be based upon such amount or quantity until the same shall be increased by vote or otherwise, and in that event said district shall be liable further only for the additional damage caused by such additional taking.

Lunenburg Water Supply District Loan, Act of 1913.

Section 5. Said district, for the purpose of paying the necessary expenses and liabilities incurred under the provisions of this act, may issue from time to time bonds or notes to an amount not exceeding fifty thousand dollars. Bonds or notes issued under authority of this act shall bear on their face the words, Lunenburg Water Supply District Loan, Act of 1913; shall be payable by such annual payments, beginning not more than one year after their respective dates of issue, as will extinguish each loan within thirty years from the date thereof; but the amount of such annual payment of any loan in any year shall not be less than the amount of the principal of said loan payable in any subsequent year. Each authorized issue of bonds or notes shall constitute a separate loan. Said bonds or notes shall bear interest at a rate not exceeding four and one half per cent per annum, payable semi-annually, and shall be signed by the treasurer of the town and countersigned by a majority of the water commissioners hereinafter provided for. The district may sell such bonds or notes at public or private sale, upon such terms and conditions as it may deem proper, but they shall not be sold for less than their par value. The town of Lunenburg may, at its annual town meeting or at any legal meeting called for the purpose, guarantee the payment of such bonds or notes.

Payment of loan.

Section 6. The said district shall at the time of authorizing said loan or loans provide for the payment thereof in accordance with section five of this act; and when a vote to that effect has been passed, a sum which, with the income derived from water rates, will be sufficient to pay the annual expense of operating its water works and the interest as it accrues on the bonds or notes issued as aforesaid by the district, and to make such payments on the principal as may be required under the provisions of this act, shall, annually thereafter, without further vote, be assessed by the assessors of the town, in the same manner in which other taxes are

assessed, until the debt incurred by said loan or loans is extinguished.

Assessment of tax.

SECTION 7. Whenever a tax is duly voted by said district for the purposes of this act, the clerk shall send a certified copy of the vote to the assessors of the town of Lunenburg, who shall proceed within thirty days thereafter to assess the same in the same manner in which town taxes are required by law to be assessed. The assessment shall be committed to the town collector, who shall collect said tax in the manner provided by law for the collection of town taxes, and shall deposit the proceeds thereof with the district treasurer for the use and benefit of said district. Said district may collect interest on overdue taxes in the manner in which interest is authorized to be collected on town taxes: *provided*, that the district at the time of voting to raise the tax shall so determine, and shall also fix a time for payment thereof.

Proviso.

First meeting, etc.

SECTION 8. The first meeting of said district shall be called on petition of ten or more legal voters therein, by a warrant from the selectmen of the town of Lunenburg, or from a justice of the peace, directed to one of the petitioners, requiring him to give notice of the meeting by posting copies of the warrant in two or more public places in the district seven days at least before the time of the meeting. The said justice of the peace, or one of the selectmen, shall preside at the meeting until a clerk is chosen and sworn, and the clerk shall preside until a moderator is chosen. After the choice of a moderator for the meeting the question of the acceptance of this act shall be submitted to the voters, and if it is accepted by a majority of the voters present and voting thereon it shall take effect, and the meeting may then proceed to act on the other articles contained in the warrant.

Water commissioners, election, terms, etc.

SECTION 9. The Lunenburg Water Supply District shall, after the acceptance of this act as aforesaid, elect by ballot three persons to hold office, one until the expiration of three years, one until the expiration of two years, and one until the expiration of one year from the next succeeding annual district meeting, to constitute a board of water commissioners; and at every annual meeting thereafter one such commissioner shall be elected by ballot for the term of three years. All the authority granted to said district by this act, and not otherwise specifically provided for, shall be vested in said board of water commissioners, who shall be subject, however, to such instructions, rules and regulations as the

district may by vote impose. Said commissioners shall appoint a treasurer of said district, who may be one of their number, who shall give bonds to the district in such an amount and with such sureties as may be approved by the commissioners. A majority of the commissioners shall constitute a quorum for the transaction of business. Any vacancy occurring in said board from any cause may be filled for the remainder of the unexpired term by said water supply district at any legal meeting called for the purpose. No money shall be drawn from the district treasury on account of the water works except upon a written order of said commissioners or a majority of them.

Quorum.

Vacancy.

Section 10. Said commissioners shall fix just and equitable prices and rates for the use of water, and shall prescribe the time and manner of payment. The income of the water works shall be applied to defraying all operating expenses, interest charges and payments on the principal as they accrue upon any bonds or notes issued under authority of this act. If there should be a net surplus remaining after providing for the aforesaid charges, it may be used for such new construction as the water commissioners may determine upon, and in case a surplus should remain after payment for such new construction the water rates shall be reduced proportionately. No money shall be expended in new construction by the water commissioners except from the net surplus aforesaid, unless the district appropriates and provides money therefor. Said commissioners shall annually, and as often as the district may require, render a report upon the condition of the works under their charge, and an account of their doings, including an account of receipts and expenditures.

Water rates, etc.

Section 11. Said district may adopt by-laws prescribing by whom and how meetings may be called, notified and conducted; and, upon the application of ten or more legal voters in the district, meetings may also be called by warrant as provided in section eight. Said district may also establish rules and regulations for the management of its water works, not inconsistent with this act or with the laws of the commonwealth, and may choose such other officers not provided for in this act as it may deem necessary or proper.

By-laws, etc.

Section 12. Whoever wilfully or wantonly corrupts, pollutes or diverts any water obtained or supplied under

Penalty for corrupting, etc., water, etc.

this act, or wilfully or wantonly injures any reservoir, standpipe, aqueduct, pipe or other property owned or used by said district for the purposes of this act, shall forfeit and pay to the district three times the amount of damages assessed therefor, to be recovered in an action of tort, and upon conviction of any of the above acts shall be punished by a fine not exceeding one hundred dollars or by imprisonment in jail for a term not exceeding six months.

Certain property may be included in the district upon petition, etc.

SECTION 13. Upon a petition in writing addressed to the water commissioners by any owner of real estate in Lunenburg abutting on the district described in section one, or as subsequently enlarged under the provisions of this section, setting forth that the petitioner desires to have certain accurately described parts of his real estate included in the district, the water commissioners shall cause a duly warned meeting of the district to be called, at which meeting a majority of the voters present and voting may vote to include in the district such petitioner's real estate as described in his petition. If it be so voted the clerk of the district shall, within ten days, file with the town clerk of Lunenburg an attested copy of said petition and vote, describing precisely the real estate added to the district; and thereupon said petitioner's real estate as described in his petition shall be a part of said district and shall be holden under the provisions of this act in the same manner and to the same extent as the real estate described in section one.

Time of taking effect.

SECTION 14. This act shall take effect upon its acceptance by a majority vote of the voters of said district described in section one, present and voting thereon at a district meeting called in accordance with the provisions of section eight, within two years after the passage of this act; but this act shall become void unless the said district shall begin to distribute water to consumers within two years after the date of the acceptance of the act as aforesaid.

Approved February 28, 1913.

Chap. 204 AN ACT RELATIVE TO THE IMPROVEMENT OF A STATE HIGHWAY IN THE COUNTY OF DUKES COUNTY.

Be it enacted, etc., as follows:

Completion, etc., of certain state highway in Dukes County.

SECTION 1. The county commissioners of the county of Dukes County are hereby authorized to issue notes or bonds of the county in a sum not exceeding seventy-five

hundred dollars, and to apply the proceeds toward the completing and extension by the Massachusetts highway commission of the state highway from its present terminus in the town of Chilmark to or near the lighthouse in the town of Gay Head.

Section 2. The said notes or bonds shall be payable as follows: — fifteen hundred dollars to be paid within one year after the date of the first issue, and the remaining six thousand dollars to be paid in such annual proportionate payments, beginning not later than two years after the first issue of such bonds or notes, as will extinguish the same within eight years after the date of said first issue, shall bear interest, payable semi-annually, at a rate not exceeding four and one half per cent per annum, and shall be signed by the county commissioners and countersigned by the treasurer of the county. The county commissioners shall raise annually by taxation a sum sufficient to pay the interest due each year, and that part of the principal due each year, until the whole debt is extinguished. Payment of notes, etc.

Section 3. This act shall take effect upon its passage.

Approved February 28, 1913.

An Act relative to the employment of public school teachers through the board of education. *Chap.* 205

Be it enacted, etc., as follows:

Section 1. Chapter three hundred and ninety-nine of the acts of the year nineteen hundred and six, as amended by chapter two hundred and thirteen of the acts of the year nineteen hundred and seven, relating to the employment of public school teachers through the board of education, is hereby repealed. Repeal.

Section 2. This act shall take effect upon its passage.

Approved February 28, 1913.

An Act relative to the incorporation of trust companies in certain towns. *Chap.* 206

Be it enacted, etc., as follows:

Section 1. Section five of chapter one hundred and sixteen of the Revised Laws, as amended by chapter four hundred and eighty-seven of the acts of the year nineteen hundred and seven, is hereby further amended by inserting R. L. 116, § 5, etc., amended.

after the word "each", in the seventh line, the words: — and except also that in towns whose population is not more than ten thousand the capital stock may be not less than fifty thousand dollars, divided into shares of the par value of one hundred dollars each, — so as to read as follows: —

Capital stock, etc., of trust companies.

Section 5. The capital stock of such corporation shall be not less than two hundred thousand nor more than one million dollars, except that in a city or town whose population is not more than one hundred thousand the capital stock may be not less than one hundred thousand dollars, divided into shares of the par value of one hundred dollars each; and except also that in towns whose population is not more than ten thousand the capital stock may be not less than fifty thousand dollars, divided into shares of the par value of one hundred dollars each; and no business shall be transacted by the corporation until the whole amount of its capital stock is subscribed for and actually paid in, and no shares shall be issued until the par value of such shares shall have actually been paid in in cash.

SECTION 2. This act shall take effect upon its passage.

Approved February 28, 1913.

Chap. 207 AN ACT MAKING AN APPROPRIATION FOR THE PUBLICATION OF A RECORD OF MASSACHUSETTS SOLDIERS AND SAILORS WHO SERVED IN THE WAR OF THE REBELLION.

Be it enacted, etc., as follows:

Publication of record of Massachusetts soldiers and sailors, etc.

SECTION 1. The sum of twelve thousand dollars is hereby appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, for expenses in connection with the publication of a record of Massachusetts troops and officers, sailors and marines in the war of the rebellion, for the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen.

SECTION 2. This act shall take effect upon its passage.

Approved February 28, 1913.

Chap. 208 AN ACT TO AUTHORIZE THE SCHOOL COMMITTEE OF THE CITY OF BEVERLY TO APPOINT THE SCHOOL PHYSICIANS FOR THAT CITY.

Be it enacted, etc., as follows:

Appointment of school physicians in the city of Beverly.

SECTION 1. So much of chapter five hundred and two of the acts of the year nineteen hundred and six and of acts

in amendment thereof as provide that in cities the board of health shall appoint school physicians shall not apply to the city of Beverly, and the school physician or physicians in that city shall be appointed by the school committee.

Section 2. This act shall take effect upon its acceptance by the city council of the city of Beverly, with the approval of the mayor. *Approved February 28, 1913.*

Time of taking effect.

An Act relative to special licenses of engineers and firemen. *Chap.* 209

Be it enacted, etc., as follows:

Section eighty-two of chapter one hundred and two of the Revised Laws, as amended by section two of chapter three hundred and ten of the acts of the year nineteen hundred and five, by chapter four hundred and fourteen of the acts of the year nineteen hundred and six, by section two of chapter three hundred and seventy-three of the acts of the year nineteen hundred and seven, and by section four of chapter five hundred and sixty-two of the acts of the year nineteen hundred and eleven, is hereby further amended by inserting before the words "an engine", in the last line of said section, the words: — or permission to operate, — so as to read as follows: — *Section 82.* Licenses shall be granted according to the competence of the applicant and shall be distributed in the following classes: — Engineers' licenses: — First class, to have charge of and operate any steam plant. Second class, to have charge of and operate a boiler or boilers, and to have charge of and operate engines, no one of which shall exceed one hundred and fifty horse power, or to operate a first class plant under the engineer in direct charge of the plant. Third class, to have charge of and operate a boiler or boilers not exceeding in the aggregate one hundred and fifty horse power, and an engine not exceeding fifty horse power, or to operate a second class plant under the engineer in direct charge of the plant. Fourth class, to have charge of and operate hoisting and portable engines and boilers. Portable class, to have charge of or to operate portable boilers and portable engines, except hoisting engines or steam fire engines. Steam fire engineers' class, to have charge of or to operate steam fire engines and boilers. Firemen's licenses: — Extra first class, to have charge of and operate any boiler or boilers. First class, to have charge

R. L. 102, § 82, etc., amended.

Classes of licenses.

of and operate any boiler or boilers where the safety valve or valves are set to blow at a pressure not exceeding twenty-five pounds to the square inch, or to operate high pressure boilers under the engineer or fireman in direct charge thereof. Second class, to operate any boiler or boilers under the engineer or fireman in direct charge thereof. A person holding an extra first class or first class fireman's license may operate a third class plant under the engineer in direct charge of the plant. Special licenses: — A person holding an engineer's or fireman's license, who desires to have charge of or to operate a particular steam plant, may, provided that he holds an engineer's or fireman's license and that he files with his application for such examination a written request signed by the owner or user of said plant, be examined as to his competence for such service and no other, and, if found competent and trustworthy, he shall be granted a license for such service and no other: *provided, however,* that no special license shall be granted to give any person charge of or permission to operate an engine of over one hundred and fifty horse power. *Approved February 28, 1913.*

Proviso.

Chap. 210 AN ACT TO PROVIDE FOR THE REPORTING OF DEATHS FROM DISEASES DANGEROUS TO THE PUBLIC HEALTH.

Be it enacted, etc., as follows:

Weekly reports of deaths from certain diseases to be made to state board of health.

The board of health in cities, and in towns, the board of health, or, where no such board is chosen, the selectmen acting as a board of health, shall send to the state board of health every week a report of the deaths in their city or town, for the week ending Saturday noon, from all diseases declared by the state board of health to be dangerous to the public health, upon forms to be prescribed by said state board. *Approved February 28, 1913.*

Chap. 211 AN ACT RELATIVE TO SPECIAL JUDGES OF PROBATE COURTS.

Be it enacted, etc., as follows:

1908, 110, § 2, amended.

SECTION 1. Section two of chapter one hundred and ten of the acts of the year nineteen hundred and eight is hereby amended by inserting after the word "sickness", at the end of the third line, the words: — absence of the judge from the county, — by striking out the word "or", in the fourth line, and by inserting after the word "interest", in the same line, the words: — or other legal disqualifica-

tion, — by inserting after the word "sickness", in the eleventh line, the words: — absence from the county, — and by inserting after the word "interest", in the same line, the words: — or other legal disqualification, — so as to read as follows: — *Section 2.* Whenever the special judge holds a session of the probate court or of the court of insolvency because of vacancy in the office of judge or because of the sickness, absence of the judge from the county, interest or other legal disqualification of the judge, he shall receive from the commonwealth the same compensation that a judge of probate and insolvency for another county would be entitled to receive for the same service. The register shall certify upon the records of the court the number of days, the dates upon which, and the occasions for which the duties of the judge are performed by the special judge; and when the occasion is that of sickness, absence from the county, interest or other legal disqualification, or vacancy in office, he shall certify the same to the auditor of the commonwealth.

Compensation of special judges of probate courts.

Register to certify number of days of service, etc.

Section 2. This act shall take effect upon its passage.

Approved March 1, 1913.

An Act relative to the inspection and regulation of tenement and lodging houses in the city of Lawrence. *Chap.* 212

Be it enacted, etc., as follows:

Section 1. The board of health in the city of Lawrence may by a vote limit the number of occupants in any tenement or lodging house, or in any part or parts of the same, and shall in such case cause a notice stating such number to be posted conspicuously in such building and served upon the owner, agent or person having charge thereof. If the number is exceeded, the board may order the premises vacated, and they shall not again be occupied until said board shall so permit, upon being satisfied that the vote will be complied with. Said board may make such further regulations as to overcrowding, ventilation and occupation of such houses and the cellars thereof, not inconsistent with other laws, as it may deem proper.

Occupation, etc., of tenement and lodging houses in Lawrence regulated.

Section 2. Every owner or agent, or person having charge, of a tenement or lodging house in the city of Lawrence shall leave his address with the board of health, and shall have legibly posted on the wall or in the entry of such tenement or lodging house the name and address of such

Name of owner, etc., to be posted, etc.

owner and of the agent or person having charge of the same; and service upon parties whose address is out of the city, of any papers or notices required by this act, or any act relating to the preservation of health, or by any proceedings to enforce any provision of any such act, shall be sufficient if made by sending a copy of such paper or notice through the mail to the address of the person so designated as owner, agent, or person having charge of such tenement or lodging house; and service on parties whose address is in the city may be made by leaving the copy at such address.

Certain officers to have free access, etc.

SECTION 3. Every officer of the board of health in the city of Lawrence, and every officer upon whom any duty or authority is imposed or conferred, may have free access to every part of any lodging or tenement house, in the proper execution of the duties of his office.

Penalty.

SECTION 4. Any person violating any provision of this act shall be punished by a fine not exceeding one hundred dollars, or by confinement in the house of correction for a term not exceeding sixty days. *Approved March 6, 1913.*

Chap. 213 AN ACT RELATIVE TO THE DATE ON OR BEFORE WHICH AGRICULTURAL SOCIETIES SHALL FILE THEIR ANNUAL RETURNS.

Be it enacted, etc., as follows:

R. L. 124, § 3, amended.

SECTION 1. Section three of chapter one hundred and twenty-four of the Revised Laws is hereby amended by striking out the word "January", in the second line, and inserting in place thereof the word: — December, — so as to read as follows: — *Section 3.* A society which claims bounty shall annually, on or before the tenth day of December, file in the office of the secretary of the board of agriculture, a certificate signed by its president and treasurer, stating under oath the amount so contributed which it holds at interest or invested, as a capital stock; and also such other returns of its financial affairs as the board of agriculture may require, upon a blank to be furnished by the secretary of said board to the treasurer of said society.

Societies claiming bounty to file certificate, etc.

R. L. 124, § 7, amended.

SECTION 2. Section seven of said chapter one hundred and twenty-four is hereby amended by striking out the word "January", in the second line, and inserting in place thereof the word: — December, — so as to read as follows: — *Section 7.* Every such society shall annually, on or before the tenth day of December, make a full return of its doings, signed by its president and secretary, to the secretary of the

Societies to make annual returns to state board of agriculture, etc.

state board of agriculture, containing a statement of all expenditures, of the nature of the encouragement proposed by the society, the objects for which its premiums have been offered and the persons to whom they have been awarded, all reports of committees and all statements of experiments and cultivation which are regarded by the president and secretary as worthy of publication, with such general observations relative to the state of agriculture and manufactures in the commonwealth as it may consider useful. The return shall be so marked that the passages which are considered by such officers most worthy of public notice, study and application may be easily distinguished.

Section 3. This act shall take effect beginning with the year nineteen hundred and fourteen. Time of taking effect.

Approved March 6, 1913.

An Act to prohibit the throwing of glass in the public highways. *Chap.* 214

Be it enacted, etc., as follows:

Section 1. Whoever wilfully throws or drops glass in a public street or highway may be punished by a fine of not more than fifty dollars, or by imprisonment for not more than thirty days. Penalty for throwing, etc., glass in public highways.

Section 2. This act shall take effect ninety days after its passage. Time of taking effect.

Approved March 6, 1913.

An Act making appropriations for the salaries and expenses of the board of railroad commissioners. *Chap.* 215

Be it enacted, etc., as follows:

Section 1. The sums hereinafter mentioned are appropriated, to be paid out of the Railroad Commissioners' Fund, for the salaries and expenses of the railroad commissioners, for the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen, to wit: — Appropriations, railroad commissioners.

For the salaries of the commissioners, sixteen thousand dollars. Salaries.

For the salary of the clerk, three thousand dollars. Clerk.

For the salary of the assistant clerk, twenty-five hundred dollars. Assistant clerk.

For additional clerical assistance, a sum not exceeding thirty-four hundred dollars. Clerical assistance.

For the salary of the accountant, five thousand dollars. Accountant.

Railroad inspectors. For the salaries and expenses of the railroad inspectors, a sum not exceeding twenty-four thousand dollars.

Experts, etc. For the compensation of experts and other agents, a sum not exceeding twenty thousand dollars.

Rent, etc. For rent, care of office and salary of a messenger, a sum not exceeding sixty-seven hundred dollars.

Expenses. For books, maps, statistics, stationery, incidental and contingent expenses, a sum not exceeding fifty-five hundred dollars.

Stenographers, etc. For stenographers and stenographic reports, a sum not exceeding twenty-four hundred dollars.

Annual report. For printing and binding the annual report, a sum not exceeding nine thousand dollars.

Evidence at inquests. For taking evidence given at inquests in cases of death by accident occurring upon railroads and street railways, a sum not exceeding three thousand dollars.

SECTION 2. This act shall take effect upon its passage.

Approved March 6, 1913.

Chap. 216 AN ACT MAKING APPROPRIATIONS FOR THE SALARIES AND EXPENSES OF THE BOARD OF PRISON COMMISSIONERS AND FOR SUNDRY REFORMATORY EXPENSES.

Be it enacted, etc., as follows:

Appropriations, prison commissioners. SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, for the board of prison commissioners, for the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen, to wit: —

Chairman. For the salary of the chairman, four thousand dollars.

Secretary. For the salary of the secretary, twenty-five hundred dollars.

Clerical assistance. For clerical assistance, a sum not exceeding fifty-one hundred dollars.

Agents. For the salaries of agents, fifty-two hundred dollars.

Travelling expenses. For travelling expenses, a sum not exceeding three thousand dollars.

Incidental expenses, etc. For incidental and contingent expenses, including printing and binding the annual report, a sum not exceeding twenty-eight hundred dollars.

Assistance to discharged prisoners. For assistance to prisoners discharged from the state prison, Massachusetts reformatory, or prison camp and hospital, and to discharged female prisoners, a sum not exceeding twelve thousand dollars.

For the salary of the agent for aiding discharged female prisoners, one thousand dollars. Agent for discharged female prisoners.

For expenses incurred in removing prisoners to and from state and county prisons, a sum not exceeding twenty-one hundred dollars. Removal of prisoners.

For expenses in connection with the identification of criminals, a sum not exceeding seventeen hundred dollars. Identification of criminals.

Section 2. This act shall take effect upon its passage.

Approved March 6, 1913.

An Act to authorize the city of Taunton to expend money for water works purposes outside the debt limit. *Chap.* 217

Be it enacted, etc., as follows:

Section 1. The city of Taunton, for the purposes mentioned in chapter two hundred and seventeen of the acts of the year eighteen hundred and seventy-five and acts in addition thereto, may issue from time to time bonds, notes or scrip to an amount not exceeding one hundred thousand dollars, in addition to the amounts heretofore authorized to be issued by the said city for water works purposes, and the same shall not be reckoned in determining the statutory limit of indebtedness of the city. Such bonds, notes or scrip shall bear on their face the words, Taunton Water Loan, Act of 1913; shall be payable at the expiration of periods not exceeding thirty years from the respective dates of issue; shall bear interest, payable semi-annually, at a rate not exceeding four per cent per annum; and shall be signed by the treasurer of the city and countersigned by the mayor. The city may sell such securities at public or private sale, upon such terms and conditions as it may deem proper, but they shall not be sold for less than their par value. No part of the proceeds of the sale of said bonds, notes or scrip shall be used in payment of running expenses. Taunton Water Loan, Act of 1913.

Section 2. The city shall, at the time of authorizing the said loan, provide for the payment thereof in such annual proportionate payments, beginning not more than one year after the date of each respective issue of such bonds, notes or scrip, as will extinguish the same within the time prescribed by this act, but the amount of such annual payment of any loan in any year shall not be less than the amount of the principal of said loan payable in any subsequent year; and Payment of loan.

when a vote to this effect has been passed, a sum which, with the income derived from water rates, will be sufficient to pay the annual expense of operating its water works and the interest as it accrues on the bonds, notes or scrip issued as aforesaid, and to make such payments on the principal as may be required under the provisions of this act shall, without further vote, be assessed by the assessors of the city in each year thereafter, in the same manner in which other taxes are assessed, until the debt incurred by said loan is extinguished.

SECTION 3. This act shall take effect upon its passage.

Approved March 6, 1913.

Chap. 218 AN ACT TO AUTHORIZE THE TOWN OF MEDWAY TO SELL WATER FOR USE IN ADJACENT TOWNS.

Be it enacted, etc., as follows:

The town of Medway may sell water to adjoining towns.

SECTION 1. The town of Medway may furnish and sell water to any adjoining town, or to any person or corporation therein, for domestic or other use, upon such terms as may be agreed upon; but any work done in any public street of such adjoining town shall be done with the least possible hindrance to public travel and shall be subject to the direction and approval of the selectmen of such adjoining town.

SECTION 2. This act shall take effect upon its passage.

Approved March 6, 1913.

Chap. 219 AN ACT TO AUTHORIZE THE CITY OF WORCESTER TO PROVIDE FOR THE SUPPORT OF THE CHILDREN OF MARK DALEY.

Be it enacted, etc., as follows:

City of Worcester may pay a sum of money for support of children of Mark Daley.

SECTION 1. The city of Worcester is hereby authorized to pay the sum of five hundred dollars for the support of the children of Mark Daley, who was run over by a fire engine in said city on the tenth day of January, nineteen hundred and twelve, and received injuries from which he died. The payment hereby authorized shall be made in trust to such person or institution as may be designated by the mayor of the city.

SECTION 2. This act shall take effect upon its passage.

Approved March 6, 1913.

An Act to authorize the trustees of a fund for the support of a congregational gospel minister in the south parish in Bridgewater in the county of Plymouth to hold additional real and personal estate. *Chap.* 220

Be it enacted, etc., as follows:

Section 1. Chapter forty-seven of the acts of the year eighteen hundred and two is hereby amended by striking out section four, and inserting in place thereof the following: — *Section 4.* Said trustees are hereby authorized to hold, as aforesaid, real or personal estate to the value of one hundred thousand dollars; and no part of the capital of said fund shall ever be expended. 1802, 47, § 4, amended. May hold real and personal estate, etc.

Section 2. This act shall take effect upon its passage.

Approved March 6, 1913.

An Act making an appropriation for the maintenance of the Massachusetts Reformatory. *Chap.* 221

Be it enacted, etc., as follows:

Section 1. A sum not exceeding two hundred thirty-seven thousand nine hundred dollars is hereby appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, for the maintenance of the Massachusetts reformatory, for the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen. Massachusetts reformatory, maintenance.

Section 2. This act shall take effect upon its passage.

Approved March 6, 1913.

An Act making an appropriation for the maintenance of the prison camp and hospital. *Chap.* 222

Be it enacted, etc., as follows:

Section 1. A sum not exceeding fifty-one thousand five hundred dollars is hereby appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, for salaries and expenses at the prison camp and hospital, for the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen. Prison camp and hospital, maintenance.

Section 2. This act shall take effect upon its passage.

Approved March 6, 1913.

*Chap.*223 AN ACT RELATIVE TO THE LAW OF THE ROAD.

Be it enacted, etc., as follows:

R. L. 54, amended.

SECTION 1. Chapter fifty-four of the Revised Laws, entitled "Of the Law of the Road", is hereby amended by adding at the end thereof the following new section, to be numbered five: — *Section 5.* For the purposes of this act and in construing rules, by-laws and regulations concerning the use and operation of vehicles on the streets and ways in this commonwealth, street railway cars or other cars moving upon rails shall not be considered to be vehicles unless it is otherwise expressly so provided.

Term "vehicles" construed.

SECTION 2. This act shall take effect upon its passage.

Approved March 6, 1913.

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*Chap.*224 AN ACT TO CHANGE THE NAME OF THE MASSACHUSETTS NAUTICAL TRAINING SCHOOL.

Be it enacted, etc., as follows:

Name changed.

SECTION 1. The Massachusetts nautical training school shall hereafter be designated and known as the Massachusetts nautical school.

SECTION 2. This act shall take effect upon its passage.

Approved March 6, 1913.

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*Chap.*225 AN ACT RELATIVE TO THE EXPENSES OF THE ART COMMISSION FOR THE COMMONWEALTH.

Be it enacted, etc., as follows:

1910, 422, § 1, amended.

SECTION 1. Section one of chapter four hundred and twenty-two of the acts of the year nineteen hundred and ten is hereby amended by inserting after the word "compensation", in the ninth line, the words: — but shall be allowed such necessary expenses as may be approved by the governor and council, not exceeding the sum of one hundred dollars, — so as to read as follows: — *Section 1.* An art commission for the commonwealth is hereby established, to consist of five citizens of the commonwealth, to be appointed by the governor with the advice and consent of the council, to hold office for the term of five years from the date of their commission.

Art commission, appointment, terms, etc.

Vacancy.

Any vacancy occurring in the membership of the commission may be filled for the unexpired term in the same manner in which the original appointment was made. The commission

Expenses, etc.

shall serve without compensation, but shall be allowed such necessary expenses as may be approved by the governor and council, not exceeding the sum of one hundred dollars, and shall have power to adopt its own rules and to elect such officers from its own members as may be deemed proper.

SECTION 2. This act shall take effect upon its passage.

Approved March 6, 1913.

AN ACT RELATIVE TO THE ABATEMENT OF UNCOLLECTIBLE TAXES. *Chap.*226

Be it enacted, etc., as follows:

SECTION 1. Section eighty-three of Part I of chapter four hundred and ninety of the acts of the year nineteen hundred and nine is hereby amended by inserting after the word "assessors", in the eighth line, the words: — shall act upon such notification within thirty days after its receipt and, — so as to read as follows: — *Section 83.* If a collector is satisfied that a poll tax or tax upon personal property, or any portion of said tax, committed to him or to any of his predecessors in office for collection, cannot be collected by reason of the death, absence, poverty, insolvency, bankruptcy or other inability of the person assessed to pay, he shall notify the assessors thereof in writing, under oath, stating the reason why such tax cannot be collected. The assessors shall act upon such notification within thirty days after its receipt and, after due inquiry, may abate such tax or any part thereof, and shall certify such abatement in writing to the collector; and said certificate shall discharge the collector from further obligation to collect the tax so abated. But no poll tax shall be abated, under the provisions of this section, within the calendar year in which it is assessed.

1909, 490, Part I, § 83, amended.

Abatement of uncollectible taxes, etc.

Poll tax not to be abated in year of assessment.

SECTION 2. This act shall take effect upon its passage.

Approved March 6, 1913.

AN ACT RELATIVE TO CLERICAL ASSISTANCE FOR THE REGISTRY OF PROBATE AND INSOLVENCY FOR THE COUNTY OF NORFOLK. *Chap.*227

Be it enacted, etc., as follows:

SECTION 1. The register of probate and insolvency for the county of Norfolk, from and after the first day of January in the year nineteen hundred and thirteen, shall be

Clerical assistance to register of probate and insolvency,

Norfolk county.

allowed, in addition to the amount now allowed by law, a sum not exceeding eight hundred dollars annually for clerical assistance actually performed, to be paid out of the treasury of the commonwealth upon the certificate of the judge of probate and insolvency for said county.

SECTION 2. This act shall take effect upon its passage.

Approved March 6, 1913.

Chap. 228 AN ACT RELATIVE TO GOODS STORED WITH PUBLIC WAREHOUSEMEN AND OTHER DEPOSITARIES OR DEPOSITED WITH PLEDGEES AS SECURITY FOR LOANS.

Be it enacted, etc., as follows:

R. L. 173, § 38, etc., amended.

SECTION 1. Chapter one hundred and seventy-three of the Revised Laws, as amended by chapter two hundred and twenty-seven of the acts of the year nineteen hundred and nine, is hereby further amended by striking out section thirty-eight and inserting in place thereof the following: —

Proceedings in case of detention, etc., of property by public warehousemen, etc.

Section 38. Whenever two or more persons claim any interest in property, or the proceeds or value of, or damages for the taking, detention or conversion of any property which is or has theretofore been deposited with any public warehouseman, or other depositary for hire, or with any pledgee as security for a loan, such bailee or pledgee may, either in any action against him for the recovery of said property, or for such proceeds, value, or damages, or as an original suit brought in the police, district or municipal court or before the trial justice within whose judicial district such property is situated or was last held by such bailee or pledgee, file a petition stating the names and residences of all known claimants, after such notice as the court may order upon said petition to all such claimants, and within such time after the return of such order of notice as the court shall allow, such claimant or claimants shall file in said court a statement in writing of their several claims, and if no such claim is so filed the claimant or claimants may be defaulted. The court shall hear and determine the rights and interests of the respective parties in and to such property, proceeds, value or damages, and shall enter judgment accordingly, and upon such final judgment may order such return or delivery of the property, and may award such execution or executions for damages or costs or both for or against the respective parties to such proceeding as justice may require. Failure to comply with any such order for the return or delivery of

such property may be dealt with as the court may direct. The goods may remain in the custody of the bailee or pledgee until the final judgment, and shall then be delivered in accordance with the order of the court. If the petition herein provided for be filed in an action of replevin, any order for the return of the property replevied, or any part thereof, may be for the return of such property to such party to said proceedings as may be adjudged to be entitled to the possession thereof; and if the order be not complied with, the bond in such case may, by leave of said court, be put in suit, in the name of the obligee therein, but for the benefit of the party or parties entitled to said property, and in such suit the court may award judgment and execution in accordance with the respective interests of the parties thereto.

Section 2. This act shall take effect upon its passage.

Approved March 6, 1913.

An Act to authorize the town of Medway to borrow money to restore cemetery trust funds. *Chap.* 229

Be it enacted, etc., as follows:

Town of Medway may borrow money to restore cemetery trust funds, etc.

Section 1. The town of Medway, for the purpose of restoring certain trust funds received for the care of cemetery lots and grounds by the town and subsequently expended by it for general expenses, is hereby authorized to borrow a sum not exceeding three thousand dollars, and to issue therefor five notes of six hundred dollars each. The notes shall be payable one each year, beginning not more than one year after the date of issue, so that the whole indebtedness hereby authorized shall be paid within five years from the date of issue of the first note. Said notes shall bear interest at a rate not exceeding five per cent per annum, payable semi-annually, and the amount required to pay the interest and the principal maturing each year shall be raised by taxation, and shall, without further action by the town, be assessed annually by the assessors in the same manner in which other taxes are assessed, until the debt is extinguished.

Issue of notes, etc.

Section 2. The treasurer of the town of Medway, with the approval of the selectmen, is hereby authorized, without further vote of the town, to incur indebtedness under the provisions of this act for which the town shall be liable, and to issue notes of the town therefor in accordance with law.

Section 3. This act shall take effect upon its passage.

Approved March 6, 1913.

*Chap.*230 AN ACT TO AUTHORIZE THE SALE OF REAL ESTATE OWNED BY THE WEST PARISH SOCIETY OF SALISBURY.

Be it enacted, etc., as follows:

The West Parish Society of Salisbury may sell, etc., certain property.

SECTION 1. The West Parish Society of Salisbury, now included in the town of Amesbury, is hereby authorized to sell at public or private sale, in whole or in part, and to convey, the parsonage land, together with the buildings thereon, situated in Elm street in Amesbury.

Conveyance, etc.

SECTION 2. A deed conveying the parcel of land above described and the buildings thereon may be executed and delivered by any person or persons authorized thereto by the said parish, and the purchaser shall hold the estate free from any trust and without any obligation to see to the application of the purchase money. The proceeds of the sale shall be devoted to the legitimate purposes of the parish and to no other purpose.

SECTION 3. This act shall take effect upon its passage.

Approved March 6, 1913.

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*Chap.*231 AN ACT MAKING APPROPRIATIONS FOR THE EXPENSES OF THE BOARD OF FREE PUBLIC LIBRARY COMMISSIONERS.

Be it enacted, etc., as follows:

Appropriations, free public library commissioners.

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, for the free public library commissioners, for the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen, to wit: —

Agent, salary.

For the salary of the agent of said commissioners, the sum of sixteen hundred dollars.

Establishment, etc., of free public libraries.

To carry out the provisions of the act to promote the establishment and efficiency of free public libraries, a sum not exceeding two thousand dollars.

Clerical assistance, etc.

For clerical assistance to and incidental expenses of the commissioners, a sum not exceeding three thousand dollars.

Annual report.

For printing and binding the annual report, a sum not exceeding three hundred and fifty dollars.

SECTION 2. This act shall take effect upon its passage.

Approved March 6, 1913.

An Act making appropriations for the maintenance of vocational agricultural departments in certain high schools. *Chap. 232*

Be it enacted, etc., as follows:

Section 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, for meeting the commonwealth's proportion of the cost of maintaining vocational agricultural departments in the high schools of certain towns for the period prior to December first, nineteen hundred and twelve, under the authority of sections eight, nine and ten of chapter four hundred and seventy-one of the acts of the year nineteen hundred and eleven, to wit: — Appropriations, vocational agricultural departments in high schools.

To the town of Petersham, the sum of eight hundred eighty-two dollars and fifty cents. Petersham.

To the town of Hadley, the sum of six hundred forty-six dollars and sixty-seven cents. Hadley.

To the town of Northborough, the sum of seven hundred seventy-five dollars. Northborough.

To the town of Harwich, the sum of five hundred thirty-three dollars and thirty cents. Harwich.

To the town of Easton, the sum of four hundred dollars. Easton.

For one half the tuition of pupils attending the vocational agricultural department at Petersham, prior to December first, nineteen hundred and twelve, due the following towns, to wit: — Tuition.

To the town of Dana, the sum of one hundred ten dollars. Dana.

To the town of New Salem, the sum of fifteen dollars. New Salem.

To the town of Phillipston, the sum of twenty-two dollars and fifty cents. Phillipston.

To the city of Springfield, the sum of twenty dollars. Springfield.

For one half the tuition of pupils attending the vocational agricultural department at Hadley, prior to December first, nineteen hundred and twelve, due the following town, to wit: —

To the town of Amherst, the sum of twenty dollars. Amherst.

For one half the tuition of pupils attending the vocational agricultural department at Northborough, prior to December first, nineteen hundred and twelve, due the following towns, to wit: —

To the town of Southborough, the sum of fifteen dollars. Southborough.

To the town of Westborough, the sum of one hundred dollars. Westborough.

Berlin. To the town of Berlin, the sum of fifty dollars.

Shrewsbury. To the town of Shrewsbury, the sum of fifty dollars.

For one half the tuition of pupils attending the vocational agricultural department at Harwich, prior to December first, nineteen hundred and twelve, due the following towns, to wit: —

Brewster. To the town of Brewster, the sum of twenty-seven dollars and seventy-eight cents.

Chatham. To the town of Chatham, the sum of fifty dollars.

Truro. To the town of Truro, the sum of eleven dollars and eleven cents.

SECTION 2. This act shall take effect upon its passage.

Approved March 6, 1913.

Chap. 233 AN ACT MAKING APPROPRIATIONS FOR THE MAINTENANCE OF CERTAIN INDEPENDENT INDUSTRIAL SCHOOLS FOR THE PERIOD PREVIOUS TO DECEMBER FIRST, NINETEEN HUNDRED AND TWELVE.

Be it enacted, etc., as follows:

Appropriations, independent industrial schools. SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, for meeting the commonwealth's proportion of the cost of maintenance of independent industrial schools for the period previous to December first, nineteen hundred and twelve, in certain cities and towns, under the authority of chapter four hundred and seventy-one of the acts of the year nineteen hundred and eleven, to wit: —

Beverly. To the city of Beverly, the sum of two thousand six hundred forty-two dollars and thirty-seven cents.

Boston. To the city of Boston, the sum of twenty-three thousand two hundred two dollars and fifteen cents.

Cambridge. To the city of Cambridge, the sum of one thousand seventy-five dollars and forty-four cents.

Chicopee. To the city of Chicopee, the sum of one thousand five hundred nineteen dollars and eighty-six cents.

Everett. To the city of Everett, the sum of two thousand three hundred twenty-one dollars and eighty cents.

Holyoke. To the city of Holyoke, the sum of nine hundred ninety-seven dollars and eighty-seven cents.

Lawrence. To the city of Lawrence, for the period between July one, nineteen hundred and eleven, and November five, nineteen

hundred and eleven, the sum of one thousand nine hundred twenty-five dollars and fifty-seven cents.

To the city of Lawrence, for the period between November six, nineteen hundred and eleven, and November thirty, nineteen hundred and twelve, the sum of seven thousand four hundred ninety-four dollars and eighty-seven cents. Lawrence.

To the city of Lowell, the sum of eleven thousand two hundred seventy-five dollars and twenty-seven cents. Lowell.

To the city of New Bedford, the sum of fourteen thousand seven hundred eleven dollars and sixty-two cents. New Bedford.

To the city of Newton, the sum of five thousand three hundred fifty-nine dollars and sixty-nine cents. Newton.

To the town of North Attleborough, the sum of five hundred fifty-three dollars and twenty-eight cents. North Attleborough.

To the city of Quincy, the sum of two hundred ninety-six dollars and eighty-three cents. Quincy.

To the city of Somerville, the sum of seven thousand four dollars and eighty-seven cents. Somerville.

To the city of Springfield, the sum of six thousand one hundred forty dollars and twelve cents. Springfield.

To the city of Taunton, the sum of three hundred thirty-nine dollars and seventy cents. Taunton.

To the town of Watertown, the sum of ninety-eight dollars and fifty-three cents. Watertown.

To the town of Westfield, the sum of two thousand three hundred eight dollars and sixty-five cents. Westfield.

To the city of Worcester, the sum of twenty-six thousand four hundred ninety-two dollars and ninety-two cents. Worcester.

Section 2. This act shall take effect upon its passage.

Approved March 6, 1913.

An Act to authorize the city of boston to pay a sum of money to charles e. turner. *Chap.* 234

Be it enacted, etc., as follows:

Section 1. The city of Boston, by vote of the city council, approved by the mayor, is hereby authorized to pay a sum not exceeding three thousand dollars to Charles E. Turner who was permanently injured while in the performance of his duties as an employee of the ferry department of the city. City of Boston may pay a sum of money to Charles E. Turner.

Section 2. This act shall take effect upon its passage.

Approved March 6, 1913.

*Chap.*235 AN ACT RELATIVE TO SPRINKLER LEAKAGE AND WATER DAMAGE INSURANCE.

Be it enacted, etc., as follows:

1907, 576, § 32, amended.

Chapter five hundred and seventy-six of the acts of the year nineteen hundred and seven is hereby amended by striking out clause Seventh of section thirty-two, and inserting in place thereof the following: — Seventh. To insure against loss or damage to any goods or premises of the assured, and loss or damage to the property of another for which the assured is liable, caused by the breakage or leakage of sprinklers, pumps, water pipes, elevator tanks and cylinders, steam pipes and radiators, or plumbing and its fixtures, or against accidental injury from other causes than fire, lightning, bombardment, or windstorm to such sprinklers, pumps, water pipes, elevator tanks and cylinders, steam pipes and radiators, plumbing and fixtures; also to insure against loss or damage to any goods or premises of the assured and loss or damage to the property of another for which the assured is liable, caused by the leakage of roofs, leaders and spouting, or by rain and snow driven through broken and open windows and skylights, or caused by the contents of any tank, or impact of any falling tank, tank platform or supports erected in or upon any building.

Insurance against loss by breakage of sprinklers, etc.

Approved March 6, 1913.

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*Chap.*236 AN ACT TO PROVIDE FOR REPORTS OF INJURIES OF PERSONS ARRESTED.

Be it enacted, etc., as follows:

Report to be made of injuries, etc., found on persons arrested.

SECTION 1. Whenever a person is arrested for a criminal offence and is taken to or confined in a jail, police station, lockup or other place, the officer in charge thereof shall immediately examine the prisoner, and if he finds any bruises, cuts or other injuries shall forthwith make a written report thereof to the chief of police of the city or town concerned, except that in Boston the report shall be made to the police commissioner, and in towns where there is no chief of police the report shall be made to the selectmen.

Penalty.

SECTION 2. Failure to comply with the provisions of this act shall be punished by a fine of not more than ten dollars for each offence.

Approved March 6, 1913.

An Act relative to distraint of property. *Chap.* 237

Be it enacted, etc., as follows:

Section 1. Section thirty-two of Part II of chapter four hundred and ninety of the acts of the year nineteen hundred and nine is hereby amended by striking out the word "the", in the fifth line, before the word "city", and inserting in place thereof the word: — any, — and by striking out the words "for which he is the collector", in the fifth and sixth lines, so as to read as follows: — *Section 32.* If a tax assessed upon a person remains unpaid for fourteen days after demand therefor, the collector may issue his warrant to the sheriffs of the several counties, or their deputies, or to any constable or deputy collector of taxes of any city or town, directing them and each of them to distrain the property or take the body of the person assessed and to proceed as required of collectors in like cases; but a collector of taxes who issues a warrant for the arrest of a person for non-payment of taxes, or the officer to whom he commits the warrant, may at his discretion, after the service of the warrant, allow such person to go free for a period not exceeding fourteen days after said service, at which time, if said person does not pay his tax with all fees and charges due thereon, including one dollar for service of said warrant and five cents for each mile travelled by said officer in the performance of said collection, the said officer shall then arrest the said person on the aforesaid warrant, and commit him to the jail of that county. The warrant shall run throughout the commonwealth, and any officer to whom it is directed may serve it and apprehend the person in any county.

1909, 490, Part II, § 32, amended.

Warrant of collector for distraint of property, etc.

Section 2. This act shall take effect upon its passage.

Approved March 8, 1913.

An Act making appropriations for the Massachusetts commission for the blind. *Chap.* 238

Be it enacted, etc., as follows:

Section 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, for the salaries and expenses of the Massachusetts commission for the blind, for the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen, to wit: —

Appropriations, Massachusetts commission for the blind.

Maintenance of industries.

For the maintenance of industries under the control of the commission, a sum not exceeding twenty-five thousand dollars.

General administration, expenses, etc.

For general administration, furnishing information, industrial and educational aid, and for other expenses in carrying out the provisions of the act establishing the commission, a sum not exceeding forty thousand dollars.

SECTION 2. This act shall take effect upon its passage.

Approved March 8, 1913.

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*Chap.*239 AN ACT TO AUTHORIZE THE COUNTY OF BRISTOL TO PAY A SUM OF MONEY TO THE WIDOW OF JOHN J. McDONOUGH.

Be it enacted, etc., as follows:

County of Bristol may pay a sum of money to Elizabeth F. McDonough.

SECTION 1. The county of Bristol is hereby authorized to pay to Elizabeth F. McDonough, widow of John J. McDonough late justice of the second district court of Bristol, who died on the fourth day of April in the year nineteen hundred and twelve, a sum of money equal to the salary to which he would have been entitled had he lived until the first day of January in the year nineteen hundred and thirteen.

SECTION 2. This act shall take effect upon its passage.

Approved March 8, 1913.

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*Chap.*240 AN ACT TO PROVIDE FOR THE ENCOURAGEMENT OF AGRICULTURE BY THE GRANTING OF BOUNTIES TO AGRICULTURAL SOCIETIES.

Be it enacted, etc., as follows:

1912, 260 amended.

SECTION 1. Chapter two hundred and sixty of the acts of the year nineteen hundred and twelve is hereby amended by striking out the words "animals, farm crops, fruits and vegetables grown by the exhibitor and for excellence in stock judging", in the tenth, eleventh and twelfth lines, and inserting in place thereof the words: — the encouragement of horticulture, agriculture and domestic manufactures, subject to the discretion of each society drawing bounty, — by striking out the word "for", at the end of the twelfth line, and inserting in place thereof the word: — in, — so as to read as follows: — Every incorporated agricultural society which is entitled to receive a bounty under section one of chapter one hundred and twenty-four of the Revised Laws, as amended by chapter one hundred and thirty-three of the

Bounties for encouragement of agriculture, etc.

acts of the year nineteen hundred and nine, shall be entitled to receive annually in October from the commonwealth, in addition to the sum which it is entitled to receive under the said section, four hundred dollars for the following purposes: — two hundred dollars to be distributed in premiums to children and youths under eighteen years of age for the encouragement of horticulture, agriculture and domestic manufactures, subject to the discretion of each society drawing bounty; and two hundred dollars in general premiums; but no society shall receive a larger sum in addition to the bounty to which it is entitled under the said section than it shall have expended in the year last preceding in premiums, in excess of the sum to which it is entitled under the said section; nor in the case of the sum set apart in this act for premiums to children and youths a larger sum than it shall have expended for such premiums.

Section 2. This act shall take effect upon its passage.

Approved March 8, 1913.

An Act relative to the appropriation of revenues accruing to the city of Lowell on account of public burial grounds. *Chap.* 241

Be it enacted, etc., as follows:

Section 1. All revenues and all moneys accruing to the city of Lowell on account of public burial grounds shall, when collected or paid into the city treasury, constitute a separate fund to be known as The Public Burial Grounds Fund, and all such revenues and moneys shall be appropriated exclusively to the use of public burial grounds. The Public Burial Grounds Fund established, etc.

Section 2. All acts and parts of acts inconsistent herewith are hereby repealed. Repeal.

Section 3. This act shall take effect upon its passage.

Approved March 8, 1913.

An Act making appropriations for the salaries and expenses of the district police. *Chap.* 242

Be it enacted, etc., as follows:

Section 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, for the salaries and expenses of the district police, for the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen, to wit: — Appropriations, district police.

Chief. For the salary of the chief, three thousand dollars.

First clerk. For the salary of the first clerk, fifteen hundred dollars.

Second clerk. For the salary of the second clerk, one thousand dollars.

Stenographer. For the salary of a stenographer in the department of the chief, a sum not exceeding nine hundred and seventy-five dollars.

Expenses, etc. For postage, printing, stationery, telephone, telegraph, incidental and contingent office expenses, including printing and binding the annual report, a sum not exceeding eighty-five hundred dollars.

DETECTIVE DEPARTMENT.

Deputy chief, detective department. For the salary of the deputy chief, twenty-four hundred dollars.

Clerk. For the salary of the clerk, twelve hundred dollars.

Stenographers. For the salaries of the stenographers, thirty-four hundred dollars.

Members, compensation. For compensation of the members, a sum not exceeding twenty-two thousand eight hundred dollars.

Fire inspectors. For compensation of fire inspectors, fifteen thousand three hundred dollars.

Travelling expenses. For travelling expenses of the members, a sum not exceeding thirteen thousand five hundred dollars.

Special services, etc. For special services and expenses of persons employed under the direction of the deputy chief of the detective department in the investigation of fires, including witness fees, travel, contingent and incidental expenses, a sum not exceeding twenty-five hundred dollars.

INSPECTION DEPARTMENT.

Deputy chief, inspection department. For the salary of the deputy chief, twenty-four hundred dollars.

Stenographers. For the salaries of two stenographers in the inspection department, a sum not exceeding fifteen hundred and fifty dollars.

Clerks. For the salaries of the clerks, fifty-six hundred and fifty dollars.

Members, compensation. For the compensation of the members, a sum not exceeding seventy-four thousand two hundred and fifty dollars.

Travelling expenses. For travelling expenses of the members, a sum not exceeding twenty-two thousand dollars.

Board of boiler rules, compensation. For compensation of the board of boiler rules, a sum not exceeding one thousand dollars.

For expenses of the board of boiler rules, a sum not exceeding one thousand dollars. Expenses.

For expenses of operating the steamer Lexington, used in the enforcement of the fish laws of the commonwealth, a sum not exceeding ninety-five hundred dollars. Steamer Lexington.

For maintaining in good condition apparatus for testing applicants for moving picture licenses, and for furnishing supplies to operate the same, a sum not exceeding six hundred dollars. Maintenance of certain apparatus, etc.

For investigation work and apparatus, and for maintenance in the boiler inspection department, a sum not exceeding one thousand dollars. Investigation work, etc.

Section 2. This act shall take effect upon its passage.

Approved March 8, 1913.

An Act making appropriations for the maintenance of the reformatory for women. *Chap.* 243

Be it enacted, etc., as follows:

Section 1. The following sums are hereby appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, to wit: — For the maintenance of the reformatory for women, for the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen, a sum not exceeding sixty-four thousand and four hundred dollars. Reformatory for women, maintenance.

For the town of Framingham, toward the annual expense of maintaining the system of sewage disposal at said reformatory, the sum of six hundred dollars. Sewage disposal.

Section 2. This act shall take effect upon its passage.

Approved March 8, 1913.

An Act making an appropriation for the maintenance of the state prison. *Chap.* 244

Be it enacted, etc., as follows:

Section 1. A sum not exceeding one hundred seventy-nine thousand dollars is hereby appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, for the maintenance of the state prison, for the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen. State prison, maintenance.

Section 2. This act shall take effect upon its passage.

Approved March 8, 1913.

*Chap.*245 AN ACT RELATIVE TO THE TIME FOR THE BRINGING OF SUITS TO RECOVER ON CERTAIN BONDS.

Be it enacted, etc., as follows:

1906, 408, § 3, etc., amended.

SECTION 1. Section three of chapter four hundred and eight of the acts of the year nineteen hundred and six, as amended by section two of chapter two hundred and eighty-seven of the acts of the year nineteen hundred and nine, and by chapter four hundred and fifty of the acts of the year nineteen hundred and nine, is hereby further amended by striking out the words "at any time within one year after the breach of such bond", at the end thereof, so as to read as follows: — *Section 3.* Suit to recover on a bond required to be filed under the provisions of this act, or of any acts in amendment thereof or in addition thereto, may be brought by or upon the relation of any party aggrieved, in a court of competent jurisdiction.

Suit to recover on bond, etc.

SECTION 2. This act shall take effect upon its passage.

Approved March 8, 1913.

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*Chap.*246 AN ACT RELATIVE TO PUBLIC ADMINISTRATORS.

Be it enacted, etc., as follows:

R. L. 138, § 1, etc., amended.

SECTION 1. Section one of chapter one hundred and thirty-eight of the Revised Laws, as amended by section one of chapter five hundred and ten of the acts of the year nineteen hundred and eight, is hereby further amended by adding at the end thereof the words: — but they shall complete, as soon as they lawfully may, the administration of estates in their hands of which the administration is not complete at the date of the expiration of their terms, — so as to read as follows: — *Section 1.* There shall be in each county one or more public administrators, not exceeding five in any county, appointed by the governor with the advice and consent of the council, who shall hold office for the term of five years from the time of their appointment, but they shall complete, as soon as they lawfully may, the administration of estates in their hands of which the administration is not complete at the date of the expiration of their terms.

Public administrators, appointment, term, etc.

SECTION 2. This act shall take effect upon its passage.

Approved March 8, 1913.

AN ACT RELATIVE TO THE ADMISSION OF FOREIGN MUTUAL FIRE INSURANCE COMPANIES. *Chap.* 247

Be it enacted, etc., as follows:

SECTION 1. The paragraph designated "Second" of section eighty-four of chapter five hundred and seventy-six of the acts of the year nineteen hundred and seven is hereby amended by striking out the whole of said paragraph and inserting in place thereof the following: — Second. It has satisfied the insurance commissioner that (1) it is fully and legally organized under the laws of its state or government to do the business it proposes to transact; that (2) it has, if a stock company, a fully paid-up and unimpaired capital, exclusive of stockholders' obligations of any description, of an amount not less than is required of similar companies formed under the provisions of this act; that (3) it has if a mutual company, other than life, (*a*) net cash assets equal to the capital required of like companies on the stock plan; or (*b*) net cash assets of not less than fifty thousand dollars and contingent assets of not less than three hundred thousand dollars, or (*c*) net cash assets of not less than seventy-five thousand dollars with contingent assets of not less than one hundred and fifty thousand dollars, or (*d*) net cash assets equal to its total liabilities and contingent assets of not less than one hundred thousand dollars; (4) that such capital and assets, other than contingent, are well invested and immediately available for the payment of losses in this commonwealth; and (5) that it insures on any single hazard an amount no larger than one tenth of its net assets.

1907, 576, § 84, amended.

Proof of organization and capital, etc.

SECTION 2. This act shall take effect upon its passage.

Approved March 8, 1913.

AN ACT RELATIVE TO THE ACCOUNTS OF EXECUTORS AND ADMINISTRATORS. *Chap.* 248

Be it enacted, etc., as follows:

Chapter one hundred and fifty of the Revised Laws is hereby amended by striking out section six and inserting in place thereof the following: — *Section 6.* If real property of a deceased person is used, occupied, or taken charge of by an executor or administrator, he shall account for the income and management thereof in the same manner as in the case of personal property.

R. L. 150, § 6, amended.

Income derived from real property to be accounted for.

Approved March 8, 1913.

Chap. 249 AN ACT RELATIVE TO CERTIFICATES OF REGISTRATION OF HUNTERS.

Be it enacted, etc., as follows:

1911, 614, § 11, etc., amended.

Section eleven of chapter six hundred and fourteen of the acts of the year nineteen hundred and eleven, as amended by chapter three hundred and seventy-nine of the acts of the year nineteen hundred and twelve, is hereby further amended by striking out the last sentence of the section, and inserting in place thereof the following: — The certificate of any person who shall be convicted of a violation of the game laws or of any provision of this act shall be void, and his certificate shall immediately be surrendered to the officer who secures such conviction, and the officer shall forthwith forward the certificate to the commission on fisheries and game, who shall cancel the same and notify the clerk issuing the certificate of the cancellation of the certificate, and no person shall be entitled to receive a certificate during the period of one year from the date of conviction. Any certificate issued to such person within one year of his conviction under this act, or under any other provision of the game laws, shall be void, and shall be surrendered on demand of any officer authorized to enforce the game laws, — so as to read as follows: — *Section 11.* Any person who makes a false representation as to birthplace, requirements of identification, or of facts relative to property qualifications, or naturalization, or otherwise violates any provision of this act shall be fined not less than ten nor more than fifty dollars, or be imprisoned for not more than thirty days, or may be punished by both such fine and imprisonment. The certificate of any person who shall be convicted of a violation of the game laws or of any provision of this act shall be void, and his certificate shall immediately be surrendered to the officer who secures such conviction, and the officer shall forthwith forward the certificate to the commission on fisheries and game, who shall cancel the same and notify the clerk issuing the certificate of the cancellation of the certificate, and no person shall be entitled to receive a certificate during the period of one year from the date of conviction. Any certificate issued to such person within one year of his conviction under this act, or under any other provision of the game laws, shall be void, and shall be surrendered on demand of any officer authorized to enforce the game laws.

Penalty for false representation.

Surrender and cancellation of certificates.

Approved March 8, 1913.

An Act relative to fish and game wardens. *Chap.* 250

Be it enacted, etc., as follows:

1912, 465, § 1, amended.

Section one of chapter four hundred and sixty-five of the acts of the year nineteen hundred and twelve is hereby amended by inserting after the word "present", in the sixth line, the word: — salaried, — so as to read as follows: —

Fish and game wardens, appointment, duties, etc.

Section 1. The board of commissioners on fisheries and game is hereby authorized, upon written application made by the city government of a city or the selectmen of a town, to appoint in each city or town in the commonwealth applying therefor a fish and game warden, who shall have powers and duties identical with those of the present salaried deputy commissioners, and who shall act under the authority and instructions of the commissioners. The annual compensation of every such warden, not exceeding fifty dollars, shall be paid by the city or town in which he is appointed.

Compensation.

Approved March 8, 1913.

An Act to authorize the Independent Christian Church in the city of Gloucester to acquire and improve an ancient burial ground in that city. *Chap.* 251

Be it enacted, etc., as follows:

The Independent Christian Church may acquire an ancient burial ground in Gloucester.

Section 1. The Independent Christian Church in the city of Gloucester, which was incorporated by an act of the general court approved June twenty-eighth, in the year seventeen hundred and ninety-two, is hereby authorized to acquire by gift or purchase, or to take by right of eminent domain, the parcel of land formerly used as a burial ground, between Middle street and Prospect street, formerly called Back street, in the said city. The said church is hereby authorized to remove from the said burial ground any bodies interred therein or placed in tombs, provided that they are properly and decently buried in some other cemetery.

Notice of intention of taking to be published.

Section 2. In case the said church decides to take the said land or any part thereof by right of eminent domain, it shall publish its intention so to do, describing the land so to be taken, and stating that it is to be taken under the provisions of this act. The said statement shall be published once a week for not less than four successive weeks in a newspaper published in the said city. If ownership of any part of the said parcel of land is established by any persons, they shall be paid for the land belonging to them such sums

as may be agreed upon between the church and the said owners, or if they cannot agree, as shall be determined by a jury in the superior court for the county of Essex upon a bill or petition filed therefor by the church or by any such owner. In case ownership of any part of the land fails to be established, the church may take the same by filing a description of the land, with a statement that the same is taken under the provisions of this act, in the registry of deeds for the southern district of the county of Essex; and upon such filing the land so described shall vest in the church. No taking shall be made as aforesaid until one month after the date of the last publication of the notice hereinbefore required to be published.

Proceedings in case of failure to establish ownership, etc.

May be sold or leased, etc.

SECTION 3. When the said church shall have acquired the burial ground aforesaid, it shall use the same for the purposes of the church, and may build thereon, or it may sell or lease the same, or any part thereof, and the proceeds of any such sale or lease shall be used for the purposes of the church as stated in its act of incorporation.

SECTION 4. This act shall take effect upon its passage.

Approved March 8, 1913.

Chap. 252 AN ACT MAKING APPROPRIATIONS FOR SALARIES AND EXPENSES OF THE BOARD OF GAS AND ELECTRIC LIGHT COMMISSIONERS.

Be it enacted, etc., as follows:

Appropriations, gas and electric light commissioners.

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the Gas and Electric Light Commissioners' Fund, for the salaries and expenses of the gas and electric light commissioners, for the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen, to wit: —

Salaries. For the salaries of the commissioners, fourteen thousand dollars.

Clerical assistance. For clerical assistance, a sum not exceeding seventy-five hundred dollars.

Expenses. For statistics, books, stationery, and for other necessary expenses, a sum not exceeding four thousand dollars.

Rent of office. For rent of an office, a sum not exceeding forty-two hundred dollars.

Inspection of meters. For the inspection of electric meters, a sum not exceeding one thousand dollars.

For the salary of the present gas inspector, twenty-eight hundred dollars. Gas inspector.

For the salary of the present first assistant inspector, eighteen hundred dollars. First assistant inspector.

For the salary of the present second assistant inspector, sixteen hundred dollars. Second assistant inspector.

For compensation of deputies, travelling expenses, apparatus, office rent and other incidental expenses, a sum not exceeding ninety-five hundred dollars. Deputies, etc.

For printing and binding the annual report, a sum not exceeding twenty-nine hundred dollars. Annual report.

For expenses in connection with the abatement of the smoke nuisance, a sum not exceeding eight thousand dollars. Abatement of smoke nuisance.

Section 2. This act shall take effect upon its passage.

Approved March 8, 1913.

An Act making appropriations for the reimbursement of expenditures for tuition in certain independent industrial schools. *Chap.* 253

Be it enacted, etc., as follows:

Section 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, for meeting the commonwealth's proportion of the cost of tuition in independent industrial schools paid by certain cities and towns, under the authority of section seven of chapter four hundred and seventy-one of the acts of the year nineteen hundred and eleven, to wit: — Appropriations.

For one half of the tuition of pupils attending the Boston evening industrial school during the school year nineteen hundred and ten to nineteen hundred and eleven, also nineteen hundred and eleven to nineteen hundred and twelve, due the following cities and towns, to wit: — Boston evening industrial school, tuition.

To the town of Arlington, the sum of twenty-three dollars and fifty-nine cents. Arlington.

To the town of Brookline, the sum of twenty-eight dollars and seventy-five cents. Brookline.

To the town of Burlington, the sum of thirteen dollars and seventy-five cents. Burlington.

To the city of Chelsea, the sum of twenty-five dollars and forty-two cents. Chelsea.

To the town of Danvers, the sum of three dollars and eighty-four cents. Danvers.

Everett. To the city of Everett, the sum of twelve dollars and fifty cents.

Lynn. To the city of Lynn, the sum of sixteen dollars and forty-two cents.

Malden. To the city of Malden, the sum of thirty-two dollars and ninety-two cents.

Medford. To the city of Medford, the sum of thirteen dollars and seventy-five cents.

Melrose. To the city of Melrose, the sum of twenty-five dollars.

Milton. To the town of Milton, the sum of thirteen dollars and seventy-five cents.

Quincy. To the city of Quincy, the sum of two dollars and fifty cents.

Somerville. To the city of Somerville, the sum of eighty-eight dollars and seventy-five cents.

Spencer. To the town of Spencer, the sum of ten dollars.

Watertown. To the town of Watertown, the sum of twenty-seven dollars and fifty cents.

Winthrop. To the town of Winthrop, the sum of twenty-two dollars and fifty cents.

Boston trade school for girls, tuition. For one half of the tuition of pupils attending the Boston trade school for girls during the school year nineteen hundred and ten to nineteen hundred and eleven, also nineteen hundred and eleven to nineteen hundred and twelve, due the following cities and towns, to wit: —

Arlington. To the town of Arlington, the sum of twelve dollars and forty-five cents.

Belmont. To the town of Belmont, the sum of nine dollars.

Beverly. To the city of Beverly, the sum of forty-five dollars.

Brockton. To the city of Brockton, the sum of twenty-three dollars and twenty-five cents.

Brookline. To the town of Brookline, the sum of one hundred forty-one dollars and thirty cents.

Chelsea. To the city of Chelsea, the sum of twenty-six dollars.

Dedham. To the town of Dedham, the sum of one hundred twenty-one dollars and thirty-five cents.

Easton. To the town of Easton, the sum of forty-five dollars.

Essex. To the town of Essex, the sum of twenty-two dollars and fifty cents.

Everett. To the city of Everett, the sum of three hundred sixty-two dollars.

Lynn. To the city of Lynn, the sum of seven dollars and seventy-four cents.

To the city of Malden, the sum of one hundred ninety-four dollars and ten cents. Malden.

To the town of Medfield, the sum of forty-five dollars. Medfield.

To the city of Medford, the sum of two hundred eighteen dollars and twenty-five cents. Medford.

To the city of Melrose, the sum of twenty-seven dollars. Melrose.

To the town of Milton, the sum of fifty-eight dollars and fifty cents. Milton.

To the town of Provincetown, the sum of twenty-two dollars and fifty cents. Provincetown.

To the city of Quincy, the sum of sixty-three dollars. Quincy.

To the city of Somerville, the sum of forty-one dollars and eighty-four cents. Somerville.

To the town of Stoneham, the sum of thirty-eight dollars. Stoneham.

To the town of Stoughton, the sum of fourteen dollars and forty cents. Stoughton.

To the town of Watertown, the sum of forty-three dollars and ninety-five cents. Watertown.

To the town of Wellesley, the sum of nine dollars. Wellesley.

To the town of Winchester, the sum of eighty-six dollars and eighty-five cents. Winchester.

To the town of Winthrop, the sum of eighty-four dollars and thirty cents. Winthrop.

To the city of Woburn, the sum of seventy-four dollars and seventy cents. Woburn.

For one half of the tuition of pupils attending the Lawrence industrial school during the school year nineteen hundred and ten to nineteen hundred and eleven, due the following towns to wit: — Lawrence industrial school, tuition.

To the town of Boxford, the sum of fifty dollars. Boxford.

To the town of Dracut, the sum of eighty-six dollars and twenty-five cents. Dracut.

To the town of Methuen, the sum of one thousand two hundred eleven dollars and eighty-six cents. Methuen.

To the town of North Andover, the sum of four hundred thirty-four dollars and fifty-eight cents. North Andover.

For one half of the tuition of pupils attending the Lowell industrial school during the school year nineteen hundred and eleven to nineteen hundred and twelve, due the following towns, to wit: — Lowell industrial school, tuition.

To the town of Bedford, the sum of one hundred eighty-five dollars. Bedford.

To the town of Billerica, the sum of six hundred twenty-seven dollars and fifty cents. Billerica.

Carlisle. To the town of Carlisle, the sum of thirty-five dollars.

Chelmsford. To the town of Chelmsford, the sum of five hundred fifty-seven dollars and fifty cents.

Concord. To the town of Concord, the sum of thirty dollars.

Dracut. To the town of Dracut, the sum of six hundred fifty-nine dollars.

Tewksbury. To the town of Tewksbury, the sum of one hundred twenty-seven dollars and fifty cents.

Tyngsborough. To the town of Tyngsborough, the sum of forty dollars.

Westford. To the town of Westford, the sum of seventy-five dollars.

Montague agricultural high school, tuition. For one half of the tuition of pupils attending the Montague agricultural high school during the school year nineteen hundred and ten to nineteen hundred and eleven, due the following town, to wit: —

Granby. To the town of Granby, the sum of fifty-six dollars and twenty-five cents.

New Bedford industrial school, tuition. For one half of the tuition of pupils attending the New Bedford industrial school during the school year nineteen hundred and ten to nineteen hundred and eleven, also nineteen hundred and eleven to nineteen hundred and twelve, due the following towns, to wit: —

Acushnet. To the town of Acushnet, the sum of eighty-two dollars and fifty cents.

Dartmouth. To the town of Dartmouth, the sum of one hundred fifty dollars.

Fairhaven. To the town of Fairhaven, the sum of six hundred sixty-nine dollars and thirty-eight cents.

Freetown. To the town of Freetown, the sum of one hundred fifty dollars.

Lakeville. To the town of Lakeville, the sum of ninety-nine dollars and thirty-eight cents.

Mattapoisett. To the town of Mattapoisett, the sum of three hundred five dollars and sixty-three cents.

Rochester. To the town of Rochester, the sum of seventy-five dollars.

Wareham. To the town of Wareham, the sum of seventy-five dollars.

Westport. To the town of Westport, the sum of two hundred twenty-five dollars.

Newton industrial school, tuition. For one half of the tuition of pupils attending the Newton industrial school during the school year nineteen hundred and ten to nineteen hundred and eleven, also nineteen hundred and eleven to nineteen hundred and twelve, due the following cities and towns, to wit: —

Easton. To the town of Easton, the sum of fifty dollars.

To the city of Waltham, the sum of one hundred fifty-six dollars and twenty-five cents. Waltham.

To the town of Watertown, the sum of one hundred thirteen dollars and sixty-three cents. Watertown.

For one half of the tuition of pupils attending Smith's agricultural school and Northampton school of industries during the school year nineteen hundred and eleven to nineteen hundred and twelve, due the following towns, to wit: — Smith's agricultural school, etc., tuition.

To the town of Amherst, the sum of forty-four dollars and forty-four cents. Amherst.

To the town of Buckland, the sum of sixteen dollars and sixty-seven cents. Buckland.

To the town of Cummington, the sum of one hundred fifty dollars. Cummington.

To the town of Easthampton, the sum of sixty-one dollars and eleven cents. Easthampton.

To the town of Framingham, the sum of eight dollars and thirty-nine cents. Framingham.

To the town of Hatfield, the sum of sixteen dollars and sixty-seven cents. Hatfield.

To the town of Huntington, the sum of thirty-three dollars and thirty-three cents. Huntington.

To the town of Leverett, the sum of fifty dollars. Leverett.

To the town of Medway, the sum of fifty dollars. Medway.

To the town of Natick, the sum of forty-one dollars and sixty-seven cents. Natick.

To the town of Orange, the sum of thirty-three dollars and thirty-three cents. Orange.

To the town of Plainfield, the sum of one hundred dollars. Plainfield.

To the town of Rowe, the sum of fifty dollars. Rowe,

To the town of Warwick, the sum of fifty dollars. Warwick.

To the town of Westhampton, the sum of one hundred eleven dollars and eleven cents. Westhampton.

To the town of Whately, the sum of one hundred dollars. Whately.

To the town of Williamsburg, the sum of two hundred seventy-two dollars and twenty-two cents. Williamsburg.

For one half of the tuition of pupils attending the Somerville boys' industrial school during the school year nineteen hundred and eleven to nineteen hundred and twelve, due the following city, to wit: — Somerville boys' industrial school, tuition.

To the city of Medford, the sum of ninety-five dollars and thirty-two cents. Medford.

For one half of the tuition of pupils attending the Somerville girls' industrial school during the school year nineteen Somerville girls' industrial school, tuition.

hundred and eleven to nineteen hundred and twelve, due the following city, to wit: —

Malden. To the city of Malden, the sum of forty-two dollars and fifty cents.

Springfield industrial school, tuition. For one half of the tuition of pupils attending the Springfield industrial school during the school year nineteen hundred and eleven to nineteen hundred and twelve, due the following town, to wit: —

Agawam. To the town of Agawam, the sum of eighty dollars and seventy-five cents.

Westfield industrial school, tuition. For one half of the tuition of a pupil attending the Westfield industrial school during the school year nineteen hundred and eleven to nineteen hundred and twelve, due the following town, to wit: —

Granville. To the town of Granville, the sum of twenty-five dollars.

Worcester boys' trade school, tuition. For one half of the tuition of pupils attending the Worcester boys' trade school during the school year nineteen hundred and ten to nineteen hundred and eleven, also nineteen hundred and eleven to nineteen hundred and twelve, due the following towns, to wit: —

Auburn. To the town of Auburn, the sum of sixteen dollars.

Berlin. To the town of Berlin, the sum of sixty-seven dollars and fifty cents.

Boylston. To the town of Boylston, the sum of sixty-seven dollars and fifty cents.

Charlton. To the town of Charlton, the sum of one hundred fifty-one dollars and eighty-eight cents.

Clinton. To the town of Clinton, the sum of sixty-seven dollars and fifty cents.

Grafton. To the town of Grafton, the sum of sixty-seven dollars and fifty cents.

Leicester. To the town of Leicester, the sum of one hundred dollars and thirty-eight cents.

Millbury. To the town of Millbury, the sum of one hundred sixty-eight dollars and seventy-five cents.

Northborough. To the town of Northborough, the sum of sixty-seven dollars and fifty cents.

Northbridge. To the town of Northbridge, the sum of three hundred twenty dollars and sixty-three cents.

Paxton. To the town of Paxton, the sum of one hundred thirty-five dollars.

Shrewsbury. To the town of Shrewsbury, the sum of one hundred sixty-eight dollars and seventy-five cents.

To the town of Southborough, the sum of sixteen dollars and eighty-eight cents. Southborough.

To the town of Sterling, the sum of sixty-seven dollars and fifty cents. Sterling.

To the town of Sutton, the sum of sixty-seven dollars and fifty cents. Sutton.

To the town of Upton, the sum of two hundred seventy dollars. Upton.

To the town of West Boylston, the sum of one hundred eighteen dollars and thirteen cents. West Boylston.

SECTION 2. This act shall take effect upon its passage.

Approved March 8, 1913.

AN ACT RELATIVE TO CHARGES FOR THE USE OF GAS METERS. *Chap.* 254

Be it enacted, etc., as follows:

SECTION 1. It shall be unlawful for any person or company furnishing gas to consumers to charge a consumer for the use of a meter for any part of the fiscal year if the consumer during that fiscal year uses gas to the value of seven dollars or more. Charges for use of gas meters regulated.

SECTION 2. Violation of this act shall be punished by a fine not exceeding one hundred dollars for each offence. Penalty.

Approved March 8, 1913.

AN ACT RELATIVE TO NOTICE OF THE SALE OF LAND. *Chap.* 255

Be it enacted, etc., as follows:

SECTION 1. Section thirty-nine of Part II of chapter four hundred and ninety of the acts of the year nineteen hundred and nine is hereby amended by inserting after the word "sold", in the fifth line, the words: — which shall be furnished to the collector by the assessors upon demand of the collector, — so as to read as follows: — *Section 39.* The collector shall give notice of the time and place of sale of land for payment of taxes by publication thereof. Such notice so published shall contain a substantially accurate description of the several rights, lots, or divisions of the land to be sold, which shall be furnished to the collector by the assessors upon demand of the collector, the amount of the tax assessed on each, and the names of all owners known to the collector. 1909, 490, Part II, § 39, amended. Notice of sale of land.

SECTION 2. This act shall take effect upon its passage.

Approved March 8, 1913.

*Chap.*256 AN ACT TO REGULATE THE USE OF HAT-PINS.

Be it enacted, etc., as follows:

Wearing of hat-pins regulated.

SECTION 1. It shall be unlawful for any person to wear in public a hat-pin which protrudes more than one half inch beyond the crown of the hat, unless the point thereof is protected in such a manner as to be incapable of causing injury to others.

Penalty.

SECTION 2. Violation of the provisions of this act shall be punished by a fine of not more than one hundred dollars for each offence. *Approved March 8, 1913.*

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*Chap.*257 AN ACT RELATIVE TO SERVICE ON CERTAIN FOREIGN CORPORATIONS.

Be it enacted, etc., as follows:

1907, 332, § 1, amended.

SECTION 1. Section one of chapter three hundred and thirty-two of the acts of the year nineteen hundred and seven is hereby amended by inserting after the word "commonwealth", in the third line, the words: — or which is engaged in or soliciting business in this commonwealth, permanently or temporarily, and with or without a usual place of business therein, — so as to read as follows: — *Section 1.* In an action against a foreign corporation having its principal or a usual place of business within this commonwealth, or which is engaged in or soliciting business in this commonwealth, permanently or temporarily, and with or without a usual place of business therein, service of the summons or writ may be made according to the provisions of section thirty-six of chapter one hundred and sixty-seven of the Revised Laws for service in actions against domestic corporations; and such service shall be of the same effect and validity as if made upon the commissioner of corporations.

Service of summons on certain foreign corporations.

SECTION 2. This act shall take effect upon its passage. *Approved March 8, 1913.*

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*Chap.*258 AN ACT TO REVIVE THE POWERS AND EXTEND THE TIME FOR INCORPORATION OF THE BOSTON AND PROVIDENCE INTERURBAN ELECTRIC RAILROAD COMPANY.

Be it enacted, etc., as follows:

Time extended.

SECTION 1. The time within which the Boston and Providence Interurban Electric Railroad Company may be

incorporated is hereby extended to the first day of January in the year nineteen hundred and fourteen; and the said company shall have all the rights, powers, privileges and franchises possessed and enjoyed by the directors and associates of said company for its benefit prior to the thirtieth day of December, nineteen hundred and twelve, including the right to locate, construct and maintain its electric railroad in the manner provided by law upon the route approved by the order of the board of railroad commissioners, dated December thirtieth, nineteen hundred and eleven, in all respects, in the same manner and with the same effect as if said incorporation had been effected within the time prescribed by law: *provided*, that the incorporation is effected within the period hereby determined. Proviso.

Section 2. This act shall take effect upon its passage.

Approved March 8, 1913.

An Act relative to the possession of obscene prints, pictures and articles. *Chap.* 259

Be it enacted, etc., as follows:

Section twenty of chapter two hundred and twelve of the Revised Laws, as amended by chapter one hundred and twenty of the acts of the year nineteen hundred and four, is hereby further amended by inserting after the word "paper", in the eighth line, the words: — obscene, indecent or impure print, picture, figure, image, — so as to read as follows: — *Section 20.* Whoever imports, prints, publishes, sells or distributes a book, pamphlet, ballad, printed paper or other thing containing obscene, indecent or impure language, or manifestly tending to corrupt the morals of youth, or an obscene, indecent or impure print, picture, figure or description, manifestly tending to corrupt the morals of youth, or introduces into a family, school or place of education, or buys, procures, receives or has in his possession any such book, pamphlet, ballad, printed paper, obscene, indecent or impure print, picture, figure, image or other thing, either for the purpose of sale, exhibition, loan or circulation or with intent to introduce the same into a family, school or place of education shall be punished by imprisonment for not more than two years and by a fine of not less than one hundred nor more than one thousand dollars.

R. L. 212, § 20, etc., amended.

Penalty for possession or sale, etc., of obscene literature.

Approved March 8, 1913.

*Chap.*260 AN ACT RELATIVE TO THE NEW ENGLAND HOME FOR LITTLE WANDERERS.

Be it enacted, etc., as follows:

New England Home for Little Wanderers, powers enlarged.

SECTION 1. The corporation established by chapter ninety-eight of the acts of the year eighteen hundred and sixty-five, under the name of the Baldwin Place Home for Little Wanderers, which name was afterwards changed by chapter two hundred and five of the acts of the year eighteen hundred and eighty-nine to New England Home for Little Wanderers, is hereby authorized, in carrying out the purposes for which it was incorporated, to house or otherwise to care for the children under its control in any part of the United States.

Home, etc., may be constructed, etc., anywhere within the commonwealth.

SECTION 2. The said corporation may construct and maintain its home and offices in any city or town within the commonwealth. *Approved March 8, 1913.*

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*Chap.*261 AN ACT MAKING AN APPROPRIATION FOR THE MAINTENANCE OF THE INDUSTRIAL SCHOOL FOR BOYS.

Be it enacted, etc., as follows:

Industrial school for boys, maintenance.

SECTION 1. A sum not exceeding sixty-eight thousand two hundred and thirty dollars is hereby appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, for the maintenance of the industrial school for boys, for the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen.

SECTION 2. This act shall take effect upon its passage. *Approved March 8, 1913.*

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*Chap.*262 AN ACT MAKING APPROPRIATIONS FOR THE EXPENSES OF THE TRUSTEES OF MASSACHUSETTS TRAINING SCHOOLS.

Be it enacted, etc., as follows:

Appropriations, trustees of Massachusetts training schools.

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, for the expenses of the trustees of Massachusetts training schools, for the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen, to wit: —

Salary, etc., of secretary.

For the salary and office expenses of the secretary of the trustees, a sum not exceeding forty-four hundred dollars.

For travelling and other expenses of the trustees, to include printing and binding the annual report, a sum not exceeding fifteen hundred dollars. Expenses of trustees, etc.

For salaries and expenses of the agents employed by the trustees, a sum not exceeding eighteen thousand two hundred and fifty dollars. Agents.

For expenses in connection with boarding out children from the Lyman school for boys, for the present year and for previous years, a sum not exceeding ten thousand dollars. Boarding out children.

For expenses in connection with the care of probationers from the state industrial school, to include the boarding out and other expenses of girls on probation, for the present year and for previous years, a sum not exceeding seventeen thousand six hundred dollars. Care of probationers, etc.

For instruction in the public schools of children boarded out or bound out by the trustees of the Lyman and industrial schools, a sum not exceeding one thousand dollars. Instruction in public schools.

Section 2. This act shall take effect upon its passage.

Approved March 8, 1913.

An Act to authorize the erection of a building for the police department of the city of Boston and other boards, departments and commissions. *Chap.* 263

Be it enacted, etc., as follows:

Section 1. The superintendent of public buildings of the city of Boston may erect and furnish a building containing rooms and accommodations for a station house for the police department, and also to be occupied, with the approval of the mayor, by any boards, departments or commissions for which the city of Boston is required by law to furnish offices or to pay for any part of the rent thereof. The plans for and the furnishings of that part of the building which is to be occupied by the police department shall be approved by the police commissioner and the mayor, and that part of the building shall be under the control of the police commissioner. Building may be erected for police department, etc., of Boston.

Section 2. The said building shall be erected upon land of the city which is the site of the building formerly occupied by the Massachusetts Historical Society and of the building formerly used as a registry of deeds, and adjoining other land of the city used as a burial ground. For the purpose of improving said burial ground, and of straightening and establishing the lot lines between said burial ground and Site of building. Lot lines established.

the lots occupied by said Massachusetts Historical Society building and registry of deeds building, the southerly lot line of the registry of deeds lot shall be extended to a point fifteen inches southerly of the present southerly wall of the Massachusetts Historical Society building on the line of Tremont street, and thereafter the land occupied by the Massachusetts Historical Society building for sunken light areas and the like, lying southerly of said lot line extended to the line of Tremont street, shall be appropriated to the use of the burial ground, and the land lying northerly of said lot line so extended shall be a part of the Massachusetts Historical Society lot, and the city of Boston may erect said building thereon.

City may sell present station house, etc.

SECTION 3. The city of Boston by its board of street commissioners, with the approval of the mayor, may, after a vote by the city council authorizing the sale as provided in section two of chapter four hundred and eighty-six of the acts of the year nineteen hundred and nine, make an agreement to sell, and may sell, the land and building now occupied as a station house for the police department on Court square, upon such terms as said board and the mayor may deem advantageous to the city.

Appropriation for expenses. Proviso.

SECTION 4. The expenses incurred under this act shall be met by appropriation: *provided, however,* that the proceeds of the sale of the land and buildings as aforesaid shall be applied thereto.

Time of taking effect.

SECTION 5. This act shall take effect upon its acceptance by the mayor and city council of the city of Boston.

Approved March 8, 1913.

Chap. 264 AN ACT TO AUTHORIZE CO-OPERATIVE BANKS TO HOLD REAL ESTATE.

Be it enacted, etc., as follows:

Co-operative banks may hold, etc., certain real estate.

SECTION 1. Any co-operative bank incorporated under the laws of this commonwealth may, subject to the approval of the bank commissioner, invest a sum not exceeding its surplus account in the purchase of a suitable site and the erection or preparation of a suitable building for the convenient transaction of its business, but in no case exceeding two per cent of its dues capital.

SECTION 2. This act shall take effect upon its passage.

Approved March 8, 1913.

An Act relative to the manufacture, sale or exchange of confectionery deleterious to the public health. *Chap.*265

Be it enacted, etc., as follows:

Penalty for manufacture, etc., of confectionery containing injurious ingredients.

Whoever himself, or by his agent or servant, or as the agent or servant of another person or corporation, manufactures, sells or exchanges, or has in his custody or possession with intent to sell or exchange, or exposes or offers for sale or exchange, any confectionery containing or coated wholly or in part with terra alba, barytes, paraffine, talc, chrome yellow, or other injurious mineral substance or poisonous color or flavor, or other ingredient deleterious or detrimental to the public health, shall be punished by a fine of not less than fifty nor more than one hundred dollars.

Approved March 8, 1913.

An Act to provide that certain needy persons shall not be termed paupers. *Chap.*266

Be it enacted, etc., as follows:

1911, 669, § 3, amended.

Section 1. Section three of chapter six hundred and sixty-nine of the acts of the year nineteen hundred and eleven is hereby amended by adding at the end thereof the words: — or who, to the best of his ability, has attempted to provide for himself and his dependents and has not been a mendicant, and who, through no crime or misdemeanor of his own, has come into grievous need and receives aid or assistance given temporarily, or partial support continuously, to him or his family: *provided*, that nothing in this act shall be construed to affect, directly or indirectly, settlement, poor or pauper laws, or laws by which any charity, aid or assistance is furnished by public authority, — so as to read as follows: — *Section 3.* No person who actually supports himself and his family shall be deemed to be a pauper by reason of the commitment of his wife, child or other relative to an insane hospital or other institution of charity, reform or correction by order of a court or magistrate, and of his inability to maintain the wife, child or relative therein; or who, to the best of his ability, has attempted to provide for himself and his dependents and has not been a mendicant, and who, through no crime or misdemeanor of his own, has come into grievous need and receives aid or assistance given temporarily, or partial support continuously, to him or his

Certain persons not to be deemed paupers.

Proviso.

family: *provided*, that nothing in this act shall be construed to affect, directly or indirectly, settlement, poor or pauper laws, or laws by which any charity, aid or assistance is furnished by public authority.

SECTION 2. This act shall take effect upon its passage.

Approved March 8, 1913.

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*Chap.*267 AN ACT TO AUTHORIZE THE BLANDFORD FIRE DISTRICT TO EXTEND ITS LIMITS AND TO MAKE AN ADDITIONAL WATER LOAN.

Be it enacted, etc., as follows:

Blandford Fire District limits extended.

SECTION 1. The Blandford Fire District, established by chapter two hundred and eighty-three of the acts of the year nineteen hundred and eight, is hereby extended as follows: — Beginning on the easterly side of the highway called North street, at the northerly line of land of I. E. Whitney, thence running east on the present northerly line of said district, one half mile to the present northeasterly corner of the district; thence turning and running northerly, parallel with said North street, three quarters of a mile; thence turning and running due west one mile; thence turning and running southerly about one and one half miles to the watering trough on Long Hill, on the road from Westfield to North Blandford, being the northwesterly corner of the present district; thence turning and running northeasterly, on the present northerly line of the district, to the point of beginning; and the territory lying within the above described lines is hereby added to and made a part of said Blandford Fire District, and the inhabitants of the town of Blandford within the above described territory are hereby made a part of the said fire district, subject to the provisions of said chapter two hundred and eighty-three.

Blandford Fire District Loan, Act of 1913.

SECTION 2. The said district, for the purpose of paying the necessary expenses and liabilities incurred under the provisions of this act, may issue from time to time bonds or notes to an amount not exceeding fifteen thousand dollars in addition to the amount heretofore authorized by said chapter two hundred and eighty-three. Bonds or notes issued under authority of this act shall bear on their face the words, Blandford Fire District Loan, Act of 1913; shall be payable by such annual payments, beginning not more than one year after the respective dates thereof, as will extinguish each loan within thirty years from its date, and the amount of

any annual payment shall not be less than the amount of the principal of the loan payable in any subsequent year. Each authorized issue of bonds or notes shall constitute a separate loan. Said bonds or notes shall bear interest at a rate not exceeding four and one half per cent per annum, payable semi-annually, and shall be signed by the treasurer of the district and countersigned by a majority of the water commissioners. The district may sell such bonds or notes at public or private sale, upon such terms and conditions as it may deem proper, but they shall not be sold for less than their par value. The town of Blandford may, at any annual town meeting or at a legal meeting called for the purpose, guarantee the payment of the said bonds or notes.

Payment of loan.

Section 3. The said district shall, at the time of authorizing the said loan or loans, provide for the payment thereof in accordance with the provisions of section two of this act; and when a vote to that effect has been passed, a sum which with the income derived from water rates will be sufficient to pay the annual expense of operating its water works and the interest as it accrues on the bonds or notes issued as aforesaid by the district, and to make such payments on the principal as may be required under the provisions of this act, shall, without further vote, be assessed by the assessors of the town annually thereafter, in the same manner in which other taxes are assessed, until the debt incurred by said loan or loans is extinguished.

Section 4. This act shall take effect upon its passage.

Approved March 8, 1913.

An Act relative to the bonds required of certain militia officers. *Chap.* 268

Be it enacted, etc., as follows:

Schedule bonds may be provided for certain militia officers.

Section 1. The adjutant general may provide for such schedule bonds as may be necessary to take the place of bonds now required by law from certain officers of the Massachusetts volunteer militia. Any such schedule bond shall be with such surety as is satisfactory to the governor and council, and the condition shall be that the officer or officers named in the bond shall faithfully perform the duties of their offices, and the bond shall contain such other conditions or provisions as may be required by law. Such bonds shall take the place of any bond that may be required from any officer mentioned in the schedule bond. The premium due

Payment of premium.

to any surety company for acting as surety on any such bond shall be paid by the commonwealth.

SECTION 2. This act shall take effect upon its passage.

Approved March 8, 1913.

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*Chap.*269 AN ACT RELATIVE TO THE DISPOSITION OF DOCUMENTS OF THE BOARD OF COMMISSIONERS ON FISHERIES AND GAME.

Be it enacted, etc., as follows:

Certain old documents may be destroyed.

The board of commissioners on fisheries and game is hereby authorized to destroy from time to time license books, stubs, licenses and license blanks, after the same have been properly audited by the state auditor, and also old examination papers, old applications for hunters' licenses, old applications for fish, quadrupeds and birds, and such other like documents as the board may deem it unnecessary to keep, after the same have been noted on the official records.

Approved March 8, 1913.

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*Chap.*270 AN ACT RELATIVE TO THE OPEN SEASON ON GRAY SQUIRRELS.

Be it enacted, etc., as follows:

1911, 172, § 1, amended.

Section one of chapter one hundred and seventy-two of the acts of the year nineteen hundred and eleven is hereby amended by striking out the word "fifteenth", wherever it occurs in the second line, and inserting in place thereof in each instance, the word: — twelfth, — so as to read as

Protection of gray squirrels.

follows: — *Section 1.* It shall be unlawful except only between the twelfth day of October and the twelfth day of November of each year, both days inclusive, to hunt, take or kill a gray squirrel, or to sell, or offer for sale, or to have in possession for the purpose of sale, a gray squirrel, wherever taken or killed, or to take or kill at any time a gray squirrel by means of a trap, net or snare, or for the purpose of killing a gray squirrel to construct or set a trap, snare or net.

Approved March 8, 1913.

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*Chap.*271 AN ACT TO AUTHORIZE THE CITY OF LOWELL TO LAY WATER PIPES IN CERTAIN STREETS IN THE TOWN OF CHELMSFORD.

Be it enacted, etc., as follows:

The city of Lowell may lay water pipes in certain streets

SECTION 1. The city of Lowell is hereby authorized to dig up and open so much of Princeton street as is situated between the city line and Brouilette street and so much of

Brouilette street as is situated easterly of the median line thereof between said Princeton street and the city line, all in the town of Chelmsford, and to make such excavations as may be necessary, and to lay and maintain pipes therein. But all things done upon the said streets in the town of Chelmsford shall be subject to the direction and approval of the selectmen of said town. The city of Lowell shall in all cases restore said streets to as good a condition for public travel as they were in immediately before being dug up and opened. Nothing herein contained shall be so construed as to give the city of Lowell any right to distribute water within the town of Chelmsford. in the town of Chelmsford, etc.

Section 2. This act shall take effect upon its passage.

Approved March 8, 1913.

An Act relative to the adulteration of drugs. *Chap.*272

Be it enacted, etc., as follows:

The first paragraph of section eighteen of chapter seventy-five of the Revised Laws, is hereby amended by striking out the words "falls below", in the eleventh line, and inserting in place thereof the words: — differs materially from, — so that the said first paragraph will read as follows: — A drug shall be deemed to be adulterated: 1. If, when sold under or by a name recognized in the United States pharmacopœia, it differs from the standard of strength, quality or purity prescribed therein, unless the order therefor requires an article inferior to such standard or unless such difference is made known or so appears to the purchaser at the time of the sale. 2. If, when sold under or by a name not recognized in the United States pharmacopœia but which is found in some other pharmacopœia or other standard work on materia medica, it differs materially from the standard of strength, quality or purity prescribed in such work. 3. If its strength, quality or purity differs materially from the professed standard under which it is sold. R. L. 75, § 18, amended. Adulteration of drugs defined.

Approved March 8, 1913.

An Act to establish the office of superintendent of public works of the town of Stoneham. *Chap.*273

Be it enacted, etc., as follows:

Section 1. The office of the commissioners of public works of the town of Stoneham, established by chapter two Commissioners of public works

of the town of Stoneham abolished.

hundred and sixty-three of the acts of the year nineteen hundred and two, is hereby abolished.

Powers, duties, etc., transferred to certain other officers.

SECTION 2. All the powers, duties and liabilities conferred or imposed by law on the said commissioners of public works are hereby transferred to the board of selectmen of the said town, except that the powers, duties and liabilities of the said commissioners of public works in respect to the construction, maintenance and repair of streets, ways, bridges, sidewalks, monuments at the termini and angles of roads, guide-posts, drains, water mains and services or any pipes and fixtures through which water is supplied, and common and particular sewers, are hereby transferred to the superintendent of public works hereinafter provided for, who shall exclusively have the powers, perform the duties and be subject to the liabilities and penalties of selectmen, surveyors of highways, water commissioners and sewer commissioners, with respect to the said matters.

Superintendent of public works, appointment.

SECTION 3. Upon the acceptance of this act, as hereinafter provided, the selectmen of the town shall appoint a superintendent of public works, who shall be a person specially fitted by education, training or experience to perform the work devolving upon him. In making the appointment the selectmen, or a majority of them, shall sign a certificate in the following form: —

CERTIFICATE OF APPOINTMENT.

Certificate of appointment.

We hereby appoint (name of appointee) to the position of superintendent of public works of the town of Stoneham, and certify that in our opinion he is a person specially fitted by education, training or experience to perform the duties of that office.

Appointment to be approved by civil service commission, etc.

SECTION 4. The certificate shall be filed with the town clerk, who shall thereupon forward a certified copy to the civil service commission. The commission shall immediately make a careful inquiry into the qualifications of the nominee under such rules as they may, with the consent of the governor and council, establish, and, if they conclude that he is a competent person with the requisite qualifications, they shall file with the town clerk a certificate, signed by a majority at least of the commission, that they have made a careful inquiry into the qualifications of the appointee, and that in their opinion he is qualified for the office by education, train-

ing or experience, as the case may be, and that they approve the appointment. Upon the filing of this certificate the appointment shall become operative, subject, however, to all provisions of law or by-laws of the said town in regard to acceptance of office, oath of office and the filing of bonds. If the commission does not within thirty days after the receipt of the said notice file said certificate with the town clerk, the appointment shall be void.

To be void in certain case.

Section 5. The superintendent of public works shall hold office for a period of three years from the date when his appointment becomes operative by the filing of said certificate by the civil service commission, and until his successor is chosen and qualified. Thereafter there shall be appointed every third year by the board of selectmen, in the manner provided in sections three and four of this act, a superintendent of public works, who shall hold office for the same period and shall possess the qualifications and be subject to the confirmation provided for in sections three and four of this act, except, however, that if a person holding the office is reappointed, the approval of the civil service commission shall not be required.

Term of office, etc.

Section 6. The superintendent of public works shall be sworn to the faithful and impartial performance of his duties by the chairman of the board of selectmen of the town, or by the town clerk or by a justice of the peace, and shall receive such compensation for his services as the board of selectmen may determine, and shall be subject to such instructions, rules and regulations as the town may impose by its vote.

Oath of office, compensation, etc.

Section 7. A majority of the board of selectmen may remove the superintendent of public works by filing a written statement with the town clerk setting forth in detail the specific reasons for his removal, a copy of which shall be delivered or mailed to said superintendent: *provided, however,* that, if the superintendent so requests, a hearing shall be given him. The decision of a majority of the selectmen made after the hearing shall be final.

Removal.

Proviso.

Section 8. Any vacancy in the office of superintendent of public works shall be filled in the manner provided in sections three and four of this act, for the remainder of the term. Pending such appointment, the board of selectmen may designate a person to perform the duties of the office temporarily.

Vacancy.

Time of taking effect.

SECTION 9. This act shall take full effect upon its acceptance by a majority vote of the voters of the town of Stoneham present and voting thereon by check list or Australian ballot, at an annual or special town meeting in the warrant for which the question of the acceptance of the act was inserted as one of the articles of business; and for the purpose of such acceptance this act shall take effect upon its passage. *Approved March 8, 1913.*

Chap. 274 AN ACT TO AUTHORIZE THE FIRE COMMISSIONER OF THE CITY OF BOSTON TO APPOINT THOMAS J. STEVENS AND FRANK L. JEWETT AS REGULAR MEMBERS OF THE FIRE DEPARTMENT.

Be it enacted, etc., as follows:

Certain persons may be appointed regular members of fire department of Boston.

SECTION 1. The fire commissioner of the city of Boston is hereby authorized to appoint, without civil service examination, Thomas J. Stevens and Frank L. Jewett, now employed as chief's drivers, as regular members of the fire department of the city of Boston.

SECTION 2. This act shall take effect upon its passage. *Approved March 8, 1913.*

Chap. 275 AN ACT TO AUTHORIZE THE CITY OF LYNN TO PAY A SUM OF MONEY TO JAMES S. KENNEDY.

Be it enacted, etc., as follows:

City of Lynn may pay a sum of money to James S. Kennedy.

SECTION 1. The city of Lynn, acting by its municipal council, may pay to James S. Kennedy on account of injuries suffered by him while in the performance of his duty as a gateman in Central square in said city, in the attempt to prevent a collision between a train on the Boston and Maine railroad and a fire engine belonging to the city on its way to extinguish a fire, a sum not exceeding three hundred dollars a year, payable in equal monthly installments, for the period of ten years.

SECTION 2. This act shall take effect upon its passage. *Approved March 10, 1913.*

Chap. 276 AN ACT TO AUTHORIZE THE TOWN OF WEYMOUTH TO MAKE AN ADDITIONAL WATER LOAN.

Be it enacted, etc., as follows:

Town of Weymouth Water Loan, Act of 1913.

SECTION 1. The town of Weymouth, for the purpose of extending its system of water works as authorized by chapter

one hundred and seventy-four of the acts of the year eighteen hundred and eighty-one, and for paying the necessary expenses and liabilities incurred under the provisions of this act, may issue from time to time bonds or notes to an amount not exceeding fifty thousand dollars in addition to the amounts heretofore authorized by law to be issued by the town for water supply purposes. Bonds or notes issued under authority of this act shall bear on their face the words Town of Weymouth Water Loan, Act of 1913; shall be payable by such annual payments, beginning not more than one year after the respective dates thereof, as will extinguish each loan within thirty years from its date; and the amount of such annual payment of any loan in any year shall not be less than the amount of the principal of said loan payable in any subsequent year. Each authorized issue of bonds or notes shall constitute a separate loan. Said bonds or notes shall bear interest at a rate not exceeding four and one half per cent per annum, payable semi-annually, and shall be signed by the treasurer of the town and countersigned by the water commissioners. The town may sell such bonds or notes at public or private sale, upon such terms and conditions as it may deem proper, but they shall not be sold for less than their par value. The whole amount of such bonds or notes issued by the town, together with those heretofore authorized to be issued by said town for the purposes named in said chapter one hundred and seventy-four, shall not in any event exceed the sum of five hundred and sixty-five thousand dollars.

Payment of loan.

Section 2. Said town shall at the time of authorizing said loan or loans provide for the payment thereof in accordance with section one of this act; and when a vote to that effect has been passed, a sum which, with the income derived from water rates, will be sufficient to pay the annual expense of operating its water works and the interest as it accrues on the bonds or notes issued as aforesaid by the town, and to make such payments on the principal as may be required under the provisions of this act, shall, without further vote, be assessed by the assessors of the town annually thereafter, in the same manner in which other taxes are assessed, until the debt incurred by said loan or loans is extinguished.

Section 3. This act shall take effect upon its passage.

Approved March 10, 1913.

*Chap.*277 AN ACT TO DISSOLVE CERTAIN CORPORATIONS.

Be it enacted, etc., as follows:

Corporations dissolved.

SECTION 1. Such of the following named corporations as are not already legally dissolved are hereby dissolved, subject to the provisions of sections fifty-two and fifty-three of chapter four hundred and thirty-seven of the acts of the year nineteen hundred and three: —

A. A. Dufault, Inc.
A. B. Hobbs Machine Company
A. B. McCrillis & Son Company
A. C. G. Luke Company
A. E. Gloyd Shoe Company
A. E. Morrison Company
A. F. Ross & Company, Incorporated
A. Glennie & Company, Incorporated
A. H. Ordway Company
A. L. Sweetser Mfg. Co.
A. P. Crawford Company
A. S. Lowell Company
Acme Granolithic Company
Acoaxet Water Supply Company
Adams Drug Company
Aerial Construction Company
Aerial Navigation Company
Aeroplane Advertising Company
Aetna Investment Association, Incorporated
Albert Dwight Smith Company
Alberty Thompson Company
Alden Solomon & Sherlip Company
Alfred H. Post & Company of Boston, Inc.
Almy Uniform Company
American Automatic Sales Company
American Cableway Company
American Clothing Company
American Electric Sign Company
American Garage Company
American Hippodrome Company
American-Mexican Co.
American National Soap Company
American Non-Refillable Bottle Lock Company, The
American Paint Manufacturing Company

Corporations dissolved.

American Rotary Motor Company
American Tannery Engineering Company
Amesbury Opera House Company, The
Amherst Amusement Company
Amos F. Bailey Company
Amplex Motor Car Company of New England
Aristo Company, The
Arlington Lumber Manufacturing Company, The
Armstrong Twenty-five Cent Stores, Incorporated
Arrowplane Manufacturing Company, The
Arthur F. Dow Co.
Artificial Flower Co., The
Associated Dealers Credit Bureau
Associated Dressmakers and Tailors, Inc.
Astoria Lunch Company
Atlantic Chrome Leather Company
Atlantic Handle Company
Atlantic Handle Company Inc.
Atlantic Telegraph Company of Mass.
Austin Ford and Son Company
Austin-Walker Co.
Australian Manufacturing Company
Auto-Bright Company, The
Auto-Foto New England Company
Auto Safety Crank Company, The
Auto Warehouse Company
Automatic Electric Piano Company
Automatic Machine Company
Automobile Auction & Sales Co.
B & M Spoon Company
B. D. Gray Engineering Company
Baird Electric Score Board Company, The
Balance Shoe Co., The
Ballou and Hobigand Preparatory School, The
Bancroft Paper Co., The
Barre Acetylene Gas Co., The
Barrett Hat Company
Bay State Brazing and Welding Co.
Bay State Construction Company
Bay State Fruit Company, The
Bay State Loan Company
Beacon Confectionery Co. (Organized June 14, 1909)
Bedford Co.
Bell Novelty Company (Inc.)

Corporations dissolved.

Belmont Drug Company
Belmont Pharmacy
Benson Furniture Company, The
Bent & Bush Company
Berenson-Junisky Company
Berg Chemical Company
Berkshire Land & Sheep Company
Berkshire Mineral Company
Berkshire Pharmacy
Bianco Brothers Company
Bigelow and Dowse Company. (Organized Jan. 11, 1894)
Bishop Oillio and Novelty Company
Blanchard & Company, Incorporated. (Organized Feb. 25, 1902)
Blue Hill Corporation
Blue Hill Electric Company, The
Blue Ribbon Baking Co.
Boston and Canada Wheatland Company
Boston Art Glass Company, The
Boston Audit Company
Boston Carriage and Baggage Transfer Company
Boston Coated Paper Company, The
Boston Cordage Company
Boston Disposal Company
Boston Drop Black Company
Boston Electric Company
Boston Film Rental Company
Boston Foundry Co.
Boston Glue Company
Boston Gun Club
Boston Jamaica and Cuba Fruit Company
Boston Leather Goods Company
Boston Lettish Co-operative Society
Boston Limited Partnership Company
Boston Motion Picture Manufacturing Company
Boston-Newell Company, The
Boston Roof Protecting Co.
Boston Rubber Reclaiming Company
Boston Sand Company
Boston Smokeless Draft Inducer and Economizer Company
Boston Tow Boat Company. Chartered February 15, 1873.

Corporations dissolved.

Bowdoin Fish Market Incorporated
Bowen Manufacturing Company
Boyd Sticky Fly-Paper Company
Boylston & Woodbury Cafe Company, The
Bradford Joint Company
Braley Sporting Goods Company
Brewer-Macaulay Company
British Tea Table Inc.
Bronson Chemical Company, The
Brown Oil Company
Browne & Baxter Company
Brunelle Boiler Company, The
Bull Dog Clip Manufacturing Co.
Bunker Hill Coal Co.
Burleigh Rock Drill Company
Buxton, Doane Company
C. A. Hamel Company
C & C Raincoat Company
C. E. Dustin Company
C. F. Letteney Company
C. H. W. Wood Company, The
C. Julius Huntley Co.
C. L. Stevens Company
C. R. Remillard Lunch Company
C. S. Clapham Company
C. White Company
Caldwell Photo Company
Cameron Car Company, The
Campbell Company, The
Canton Garage Company
Carlisle & Pope Door, Sash & Blind Co.
Carribee Manufacturing Company
Carter Press Corporation, The
Central Dry-Goods Company
Chadwick Supply Company
Chandler Company
Charles A. Bennett Company
Charles E. Hall & Sons Inc. (Organized March 31, 1911)
Charles H. Belledeu, Inc.
Charles S. Brown Company
Charlesbank Casino, Inc.
Chase Company
Chelmsford Building Association

Corporations dissolved.

Cheney and Thomson Company
Chesley-Swain Company
Childs Auditing Company
Christian Hotel Company
Citizens Loan Association
Clark-Hutchinson Company
Clark Machine and Foundry Company
Clearing Association for New England Real Estate, Inc.
Climax Manufacturing Company
Clinton Specialty Manufacturing Company
Cohannet Silver Company
Cohen & Priest Company
Colonial Comb and Novelty Company
Colonial Packing Company
Columbia Woolen Company
Commercial Oil Company
Commercial Transportation Company
Commonwealth Construction Co.
Commonwealth Hospital
Commonwealth Trap Rock Company
Compressed Gas Tank Company, The
Concord Drug Company of Lowell
Congress Associates Inc., The
Congress Bowling Alleys Inc., The
Connecticut Valley Transfer and Express Company
Connell Leather Co.
Consolidated Investment Company
Consolidated Produce Company
Consumers Ice Co.
Contractors & Builders Supply Company
Cook Fire Door Company
Co-operative Poultry Association, Incorporated
Corporation Development Company
Cortland Express Service, Inc.
Coulter Coal & Lumber Company, The
Courier Publishing Company
Craftsman Company of Boston, The
Crescent Laundry Company, Inc.
Cresco Corset Company
Cross Street Shoe Store, Inc., The
Cumberland Dock and Storage Company
Currie & Fairbanks Baking Co.
Curtis and Pope Lumber Company

Corporations dissolved.

Cutter Detective Agency, Inc.
D. Augustus Cooper Company, The
Dante Printing and Publishing Company
Davenport Mill Company
Davis, Taylor Company
Davy Automatic Fire Escape Co., of New England, The
Day Emerson Shoe Company
Dickerson Metal Vat Co.
Dickinson-Bailey Company
Dietz Painting & Decorating Co.
Dobsis Lumber Company
Dr. Mann Home Remedy Co.
Dr. Rudolph Mertin, Inc. (Organized Dec. 31, 1906)
Dodge Engine Company
Domestic Vacuum Cleaner Company, The. (Organized July 28, 1910)
Dorchester Investment Association, Incorporated
Dorchester Waste Company
Drug Shop, Incorporated, The
Dunlap Cooke Company Ltd., The
Dwelley and Gilman Incorporated
E. B. Brown Department Store, Inc.
E. Buxton & Son Company, The
E. C. Barr Company, The
E. E. Stone Lumber and Box Company, The
E. L. Brown Automobile Company
E. M. F. Boston Company
E. P. Charlton Company
E. P. Scigliano & Co. Inc.
E. R. Taylor Company
E. V. J. Desmarais Pharmacy, Inc., The
E. W. Seaver Company, The
Eagle Investment Company
Eagle Printing Company
Eagle Specialty Company
East Side Auto Company, The
Eastern Aviation Company
Eastern Beef Company
Eastern Electric Co. of New Bedford
Eastern Laundry Machinery Company
Eastern Slipper Manufacturing Company
Easthampton Elastic Web Co.
Eaton Candy Company
Economy Drug Company

Corporations dissolved.

Economy Friction Drive & Pulley Company
Egidu Company
Electric Express Company, The
Electric Novelty Machine Company
Electro Manufacturing Company
Elk River Milling Company
Ellery Drill & Tool Co.
Elliott & Starr Company Corporation
Ellsworth Mfg. Company
Emerson Pennington Co.
Empire Top & Wind Shield Company
Empire Woolen Company
Equitable Law & Adjustment Company
Essex Fruit Co.
Essex Optical Company
Essex Pad and Paper Company
Essex Stocking Company
Everett Auto Station, Incorporated
Everett Square Storage Company
Everyday Housekeeping Company
Excelsior Manufacturing Company
Exchange and Mart Company, The
Exstein Co., The
F. A. Parker Shoe Company
F. B. Holmes Co.
F. C. Warren Company
F. Franz Cutlery Co.
F. H. Roberts Company, (Organized March 19, 1908)
F. J. Quinn Co., The
F. M. Kirby Company
F. R. Parker Company
F. S. Carr & Company, Inc.
F. W. Woolworth & Company
Fabrizio and Wingate Co.
Fairbanks Saddlery Specialty Company
Fall River-New Bedford Barrel and Junk Co.
Fall River, Warren and Taunton Express Company
Falmouth Land Company
Famous Ladies' Tailoring Company, The
Federal Dental Manufacturing Company
Federal Egg Co. Inc.
Federal Finance Company
Feldman & Co. Inc.
Financial Research Society, The

Corporations dissolved.

Fink Cigar Company
Finnegan Leach Shoe Company
Fisher Bros. Company
Fisk Rubber Company, The. (Organized Sept. 30, 1904)
Fitchburg Cab and Automobile Company
Fitchburg Merchants Express Co.
Fitzgerald Transportation Company, The
Forest Wafer Company
Framingham Box Company, The
Framingham Electric Company
Framingham Hotel Company, The
Franco Co-operative Co.
Frank A. Andrews Company
Frank C. Berkley Company
Franklin Manufacturing Company
Fred F. Squire Company
Fulgor Preliminary Syndicate, Incorporated
Fuller Manufacturing Company
G. A. Walker Machine Company
G. H. Proctor Supply Company
G. M. Hyams Co.
Garden City Co-operative Association
Geier-McGowan Co.
General Agency Company, The
General Motor Company
General Sales Company
George A. Cooper Company
Geo. B. Robbins Disinfectant Company
George C. Melville Company
George F. Farmer Shoe Company
George N. La Bonte Shoe Company
George W. Heald Company
George W. Ingalls Company, Incorporated
Ger-ma-tol Cerate Co.
Gilchrist Drug Company
Glendevis Manufacturing Company
Globe Auto Top Manufacturing Company
Globe Clothing Company
Globe Drygoods Company, The
Goldena Manufacturing Company
Goller Shoe Co., The
Goodwin Co., The
Grandfields' Pharmacy, Inc.

Corporations dissolved.

Grant's Express Company
Graphic Arts Publishing Company
Gravity Soda Fountain Company of America
Great Eastern Advertising Company
Greater Boston Real Estate and Ideal Homes Exposition (Incorporated)
Greendale Lumber and Supply Company
Greenidge Company
Guarantee Service Corporation
H. B. Tucker Company
H. C. Downing Company
H. Chadwell Company, The
H. D. Foss & Co., Incorporated, (Organized May 27, 1901)
H. E. Baker Company
H. E. Chellis Company, The
H. E. Crowther Company
H. E. Putnam Co.
H. F. Moss Mfg. Company, The
H. M. Hollander Company
H. W. Forbush, Inc.
Hall & Lyon Drug Company
Hampden Realty Corporation
Handy Label Paster Company
Handy Provision Company
Hanover Cigar Company
Harding & Company, Inc.
Harrington Hide Company, The
Harris Motor Company
Harry Sacks & Co., Inc.
Harshbarger Concrete Form Construction Company
Hart Valve Agency, Inc.
Hartshorn Company
Harvard Marine & Auto Company, The
Hathaway & Mackenzie Grain Company, The
Hathaway Recording Scale Company
Hawkins Manufacturing Corporation
Hawthorne Market, Incorporated
Healy Furnishing Company
Hebrew Bakers and Confectioners Corporation of Massachusetts, The
Hebrew Co-operative Butcher Shop (Inc.), The
Henry Motor Car Sales Company
Hibbard and Mason, Incorporated

Corporations dissolved.

Highland Avenue Pharmacy, Incorporated
Hilton and Sons Express, Incorporated
Hilton Manufacturing Company
Hinman Gas Machine Company
Holyoke Auto Company
Holyoke Base Ball Association
Hoosac Company, The
Horner-Jordan Co.
Household Bluer Company, The
Hovey Market & Grocery Company, Inc.
Hub Fruit Company
Humphrey Provision Company
Hunt Duplex Burner Company
Huntt's Delft Shops Inc.
Hutchinson Hide and Leather Machine Company
Hyannis Gas Company
Hyde Park Steel Castings Company
Hydraulic Oil Storage, Sales and Engineering Company
Hygienic Corset Manufacturing Company
I. W. Paul Varnish Company
Ideal Embroidery Company
Ideal Hat Frame Machine Company
Income Insurance Company of Massachusetts
Independent Electrical Supply Company
Independent Wine Company
India Mica Company
Industrial Chemical Company
In-Er Globe Lamp Company, The
Instantaneous Electric Heater Company, The
Interlaken Cranberry Company
International Electric Laboratories (Inc.)
International Hat Company
International Holding Company
International Non-Refillable Bottle Company
Interstate Chemical Company
Interstate Fire and Police Department Supply Co.
Intervale Association
Ironoid Brazing and Welding Co.
Irving Garage and Repair Company
Italian-American Corporation, The
J. A. Dow Company
J. A. Harden Company, The
J. F. Snow Company

Corporations dissolved.

J. G. Small Company
J. H. Chandler Company
J. H. Folkins Company
J. H. Stedman Company, The
J. L. Rice Co.
J. M. Agel Company, Inc.
J. M. C. Company, The
J. M. Watson Provision Company
Jacobson-Brandow Company
James S. Kelly Company, Incorporated, The
John F. Ryan Co.
John Harriott, Incorporated
John J. Connelly Co.
John J. Merrill Construction Co.
John L. Parker Company
John P. Coogan Company
John Slater Company
Johnston Market Company
Jordan Demountable Rim Company
Joseph M. Bradley Company
Joseph Squire Company
Joyce Company, The
K. A. Skinner Company
Karrer & Company (incorporated)
Katler Pants Manufacturing Company
Katzes and Phelan Amusement Company
Keith Calfskin Company
Kennedy Ideal Carbureter Company
Kissel Kar Kompany
L. and L. Bakery Co., The
L. F. Walsh Co.
L. L. Dupuis Company
Laconia Coal and Ice Company
Lake Huron Oil Company Limited
Langford Composite Pipe Company
Lawrence & Sullivan Corp.
Leader Inc., The
Lee Crepe Napkin Company
Leominster Comb Manufacturing Company
Leon B. Murray, Inc.
Lesco Company, The
Lexington and Concord Sight-Seeing Company
Lightning Hose Coupling Co.
Limerick Produce Co.

Corporations dissolved.

Loring Coes & Co. Incorporated
Lovett Advertising Company, Incorporated
Lowe-Howard Company
Lowell E. Smith Company
Lowell Leather Company
Lynch Company, The
Lynn Finance Company
Lynn Machine Company
Lynn Public Market Company, The
Lynn Publishing Company
Lynn Rubber Cement Company, Inc.
M. S. Lewis Company
Ma-hat-ma Medical Company, The
Mac-Kae Manufacturing Company
Macks Specialty Company
Madame du Tremblay & Co., Inc.
Maggiorani Company of America
Magnet Photo Materials Co.
Maire Placer Mining Company
Manson Building Company, The
Manufacturers Advertising Company, The
Manufacturers Corporation Company
Manufacturers Securities Company
Manufacturers Waste Company
Marathon Egyptian Cigarette Company
Marco Electric Mfg. Company
Marston Shoe Company
Martin Motor Car Company
Martin Pihl Corporation
Mason Motor-Fan Company
Masonic Building Association
Massachusetts Carbon Company
Massachusetts Piano Manufacturing Company
Massachusetts Sand-Lime Brick Company
Massachusetts Talc Co.
Massachusetts Tanners Egg-Yolk Company
Massachusetts Tool Company
Matchless Lighter Company
Max Perlow Co.
Medfield Electric Light and Power Company, The
Medical Gazette Publishing Company, The
Medway Electric Light and Power Company, The
Merchants and Manufacturers Credit Company, The
Merrimac Iron Foundry

Corporations dissolved.

Metallic Dabber Company
Methuen Hat Works Incorporated
Mica Varnish & Insulation Company
Middlesex Grocery Company
Middlesex Highlands Hospital
Middlesex Land Company
Middlesex Pharmacy, Incorporated
Milady's Shop, Incorporated
Miller Wardrobe Company, The
Mitchell Punctureless Pneumatic Tire Company
Montrose Mfg. Company
Moon Motor Company of Boston
Morgan Motor Truck Company. (Organized May 25, 1909)
Murphy-Walker Insurance Agency, Inc.
Music Publishing Company
Mutual Coal Company of Fitchburg, Mass.
Naivete Supply Company
Natick Gas & Electric Company
National Amusement Company
National Arts Publishing Company
National Blank Book Company
National Comedy Company
National Investment Company, The
National Oil Company of Cuba, The
National Shoe Company
National Votometer Company
Needham Gas Company, The
Never Clog Salt-Shaker Company
New England Amusement Company of Worcester
New England Auto Specialties Company
New England Automatic Machine Company
New England Barrel Company, incorporated
New England Baseball Association
New England Candle Company, The
New England Cereal Company
New England Engine & Supply Company
New England Farm Development Company
New England Hardware & Paint Company, The
New England Index Co., The
New England Nurseries (Inc.), The
New England Pant Co.
New Hampshire Dining Parlors, Inc.
New Salem Co-operative Creamery Company

Corporations dissolved.

New Stock Opera Company, The
New York Importers Tea Company
Newburyport Herald Company, The
Newton Farms Inc.
Noiseless Typewriter Sales Co.
Norfolk School
Norris F. Comley Conservatories
North Manufacturing Company
North Shore Poultry Company, Inc.
Northampton Company, The
Northern Fruit Company, The
Norwich Belting Company
Novelty Amusement Company
Nue Departure Laundry Company, The
O. K. Shank Company, The
O. L. Fern Company
O'Brien Brothers Company
O'Donnell Dry Goods Company
Old South Lunch Incorporated
Olympic Amusement Company
Olympic Amusement Operating Company
Orchard Lumber Company
Ormond Art Company
Ott and Wallin, Inc.
Otto Sales Co. of N. E.
Oxford Box and Printing Company
P. & L. Provision Co., The
P. G. Rice Company
P. H. P. Motor Truck Company, The
P. J. Imberger & Son, Incorporated
Page & Symmes Company
Paige Electric Sign Company
Palatable Distilled Water Company
Palmer-Densmore Co.
Parahide Mfg. Co.
Park Hill Orchards, Inc.
Patrons Co-operative Association
Paul Revere Raincoat Company, Incorporated
Pearl Economy Pad Company
Peerless Petticoat Company, Inc.
Pentucket Narrow Fabric Mills
Pentucket Shoe Trimming Company
Peoples Co-operative Grocery Company, The
Percy Heilner and Son Incorporated of Massachusetts

Corporations dissolved.

Perfect Sealing Jar & Bottle Company
Permanent Letter Soap Corporation
Phoenix Machine Company, The
Pickard Bros. Motor Car Company
Pilgrim Candy Shop, Inc.
Pittsfield Baseball and Athletic Association, Inc.
Plaza Drug Company
Plummer Electric Co.
Plymouth Theatre Company
Polar Mining and Dredging Company
Policy-Holders' Adjustment Company
Polish Co-operative Company of North Abington, The
Polish White Eagle Association, The
Portuguese Grocery Company
Prexite Comb Company
Priggen-Johnson Company
Prince Medicine Company, The
Princeton Electric Co.
Procter Brothers Company, The
Proctor Automobile Company
Prudential Securities Company
Public Coal Company
Pulpwood Corporation
Punctureless Tire Co., of Massachusetts, The
Purdy Shoe Company, The
Puritan Electric Company
Puritan Laundry Company
Puritan Preserving Company
Q. A. Towns Extracting Company
Quinsigamond Lake Steamboat Company
R. F. Hawkins Iron Works, The
R. H. Long Machinery Company
R. H. Messer Company
R. Minton Company
Rainbow Fuel Company
Rainbow Importing Company
Rand Paint Company, The
Red Deer Farming Company
Regent, Inc., The
Reid Machine Company
Reversible Rubber Heel Company, The
Rhode Island Machinery Company, The
Richard A. Crooker Company
Richard J. Burton Co.

Corporations dissolved.

Ricker Paint Company
Ricketts & Bermingham, Incorporated
Riverside Waist Company
Robbins Lumber Company, The
Robert B. Wardwell Company
Rogers-Williams Automobile Company
Roundy Mfg. Co.
Roxbury Real Estate Association of Boston
Royal Novelty Company
Royal Theatre and Amusement Company
Rupert & Apt Restaurant Company
Russ, Eveleth and Ingalls Company
S. B. Butler Co.
S. C. G. Motor Company
S. Du Moulin Company
S. H. Knox Co.
St. James Theatre Company
Salem Bay Steamboat Company
Salem Counter Company
Salisbury Beach Aqueduct Company
Salsea Company
Samuel Orkin Incorporated
Samuel S. Vinal Company
Saunders Sales Company
Sawyer Market Company
Saxtons River Soapstone Company
Seaside Foundry, Inc., The
Secret Serviceable Shoe Company
Security Company, Limited
Sellar Surgical Co.
Sheedy Theatre Company
Sherick & Brash Company
Shiro Takaba Co.
Shoe City Coat & Cap Co., The
Shurlite Company
Simplex Dyeing Machine Company
Simplicity Air-Craft Company
Siro Manufacturing Company
Six Per Cent. Loan Company
Smith and Wesson, Incorporated
Solomon Melbourne Company, The
Somerville Baseball Club, Inc.
Sonoma Stable Company
South End Investment Company, The

Corporations dissolved.

South Framingham Hat Co.
South Shore News Publishing Company
Southern Utilization Company
Southern Vermont Light & Power Company
Spofford Drug Company
Springfield Cement Block and Brick Company, Inc.
Springfield Co-operative Milk Association, The
Springfield Drop Forging Company
Springfield Elevator and Pump Company, The
Springfield Fruit and Produce Company
Springfield Installment Company
Springfield Knitting Company
Spurr Addressing Machine Company
Squantum Inn, Inc.
Standard Auto Supply Co. (Organized March 3, 1911)
Standard Cordage Company
Standard Creamery Co.
Standard Labeling Machine Company
Standard Laundry Company of Boston, The
Standard Mailing Company
Standard Motor Car Company of Massachusetts
Standard Sales Company
Standard Specialty Sales Company
Standard Stoneware Company
Stanley Liquid Soap Company
Stanley-Porter Co., Inc.
Star Credit Company
Steam Vacuum Cleaner Company
Stephenson and Saeger Company
Stoneham Shoe Stock Company
Stratton Level Company
Strauss Amusement Company
Stronglite Package Company
Suffolk Amusement Company
Suffolk Desiccated Egg Co. Inc.
Suffolk Leasehold Company
Suffolk Motor Company
Suffolk Supply Co.
Sun Novelty Company, The
Sure Foot Ice Creeper Company
Swendeman Water Cooling Tower Company, The
Swiss Cleansers and Dyers Inc. (Organized Jan. 26, 1912)

Corporations dissolved.

T. W. Howard Leather Company
T. W. O'Connor Company
Tarr Marine Paint Company
Taub-Scott Company
Taunton Hosiery Co., The
Taunton Sheffield Plate Company
Taxa, "Incorporated"
Telephone Improvements Company
Tenexine Glue Company
Ter-Min Exigencies Company
Thomas C. Lee Insurance Agency, Incorporated, The
Thomas O'Callaghan Company
Thomas R. Smith Co.
Thomas Wood Company
Thorndike Lane Company
Thorndike Manufacturing Company
Thrasher Diamond Finish Co.
Thurston Associates Limited
Touraine Skirt Company
Towse Railway Publishing Company
Tremont Garage Company
Tremont Worsted Company
Tribune Building Company
Trimount Lumber Company
Tucker-Emerson Company, The
U. S. Finance Co.
Union Cast Steel & Iron Company
Union Oil and Chemical Company, The
Union Shoddy Mills, Inc.
Union Stove Lining Company
Union Telephone and Telegraph Company of Massachusetts
United Associates Inc.
United Commercial Company
United Heel Company
United Machine Tool Company, The
United Provision Co.
United States Electric Heating Company
United States Loan Association
United States Sand Blast and Waterproofing Company
United Stationery Company
Universal Marine Company, The
University Garage Inc.
Upton Investment Company, The

Corporations dissolved.

Vasil Company, The
Vera Motor Car Company
W. A. De Merritt Drug Co.
W. A. Lytle Company
W. & R. Manufacturing Company
W. B. Nelson Company
W. C. Townsend Co.
W. T. Cardy & Sons Company, The
W. E. Benson Coal Company
W. E. Bonney Manufacturing Company, Inc., The
W. F. Embree Company, The
W. H. Magrath Cigar Company
W. H. Roberts Company
W. J. Lamb Company
W. N. Roberts Co.
W. W. Phillips Heating Co., The
W. W. Steere Company, The
Wa-Wan Press, Incorporated, The
Wage Earner Press, The
Wage Earner Publishing Company, The
Waldorf Lunch Company
Waldorf Lunch of Providence, Inc.
Waldron Shoe Co.
Wamsutta Hotel Company
Wanoosnoc Power Company
Warren Manufacturing Company
Warren Specialty Manufacturing Company, The
Webster Felt and Rubber Company
Welch Motor Car Company of New England
West End Association, Incorporated
Westfield Foundry & Valve Co.
Weston Electric Light Company
White House Lunch Co.
Whiting Auto Wheel Company, The
Whitney Reed Chair Company
Wilbur M. Russell Box Company
Wilkes Amusement Company, The
Wilkins, Thompson Company
William Oswald Company
Winch Brothers Company
Window Appliance Manufacturing Company
Winthrop Hygeia Ice Company
Woburn Leather Company

Corporations dissolved.

Wonderland Amusement Company
Worcester Compressed Air House Cleaning Company
Worcester Co-operative Rag & Metal Company
Worcester Horse Sale Company
Worcester Improved Ironing Board Company
Worcester Lumber Company
Worcester, Massachusetts, Lithuanian Co-operative Association, Incorporated, The
Worcester Theatre Association
Wordell Plumbing Co., The
Wray Manufacturing Company
Yorktown Cement Corporation

Pending suits not affected, etc.

Section 2. Nothing in this act shall be construed to affect any suit now pending by or against any corporation mentioned in the first section hereof, nor any suit now pending or hereafter brought for any liability now existing against the stockholders or officers of any such corporation, nor to revive any charter previously annulled or corporation previously dissolved, nor to make valid any defective organization of any of the supposed corporations mentioned in said first section.

Proceedings in suits upon choses in action.

Section 3. Suits upon choses in actions arising out of contracts sold or assigned by any corporation dissolved by this act may be brought or prosecuted in the name of the purchaser or assignee. The fact of sale or assignment and of purchase by the plaintiff shall be set forth in the writ or other process; and the defendant may avail himself of any matter of defence of which he might have availed himself in a suit upon the claim by such corporation, had it not been dissolved by this act.

Section 4. This act shall take effect upon its passage.

Approved March 12, 1913.

An Act relative to the membership of William J. Bonning in the fire department of the city of Boston. *Chap.* 278

Be it enacted, etc., as follows:

Reinstatement of William J. Bonning in fire department of Boston.

Section 1. William J. Bonning, who was at one time a member of the regular fire department of the city of Boston and who resigned from said department on January twenty-first, nineteen hundred and eight, may, with the approval of

the fire commissioner, be restored to a position in the regular department without undergoing a civil service examination.

SECTION 2. This act shall take effect upon its passage.

Approved March 12, 1913.

Chap. 279 AN ACT TO TRANSFER CERTAIN FUNDS TO THE BEVERLY BRANCH OF THE MASSACHUSETTS POLICE ASSOCIATION RELIEF FUND.

Be it enacted, etc., as follows:

Certain deposit of money may be transferred to Beverly Branch of the Massachusetts Police Association Relief Fund.

SECTION 1. Schuyler S. Bartlett, executor of the will of Henry Lee, late of Brookline, is hereby authorized to transfer, assign, set over and convey to the trustees of the fund known as Beverly Branch of the Massachusetts Police Association Relief Fund, the sum of two thousand one hundred sixty-two dollars and twenty-one cents now on deposit in the Provident Institution for Savings in the Town of Boston, in the name of Henry Lee, trustee for state constables, deposit book number sixty-three thousand five hundred and fifteen, less any charges that may be deducted therefrom in accordance with a decree of the court and the said trustees are hereby authorized to receive said sum and to hold, manage and dispose of the same as if it were in all respects a part of said relief fund.

Transfer to be made only in case of certain decree, etc.

SECTION 2. The authority hereby granted shall be exercised only in case a decree shall have been entered in the supreme judicial court, sitting in equity in some county, vesting title to said bank deposit in the commonwealth.

SECTION 3. This act shall take effect upon its passage.

Approved March 12, 1913.

Chap. 280 AN ACT TO AUTHORIZE THE MAYOR OF THE CITY OF BOSTON TO GRANT PERMITS FOR SPECIAL MOVING PICTURE EXHIBITIONS IN CHURCHES, HALLS OR OTHER BUILDINGS.

Be it enacted, etc., as follows:

Mayor of Boston may grant permits for special moving picture exhibitions.

SECTION 1. The mayor of the city of Boston may grant permits in writing for special exhibitions of moving pictures in churches, halls or other buildings in that city which, in his opinion, are in safe condition for such exhibitions, and he may prescribe regulations for the proper conduct of the same: *provided, however,* that such special exhibitions shall be subject to the laws of the commonwealth and the regulations of the district police relating to the use of the cinematograph or similar apparatus.

Proviso.

SECTION 2. A fee of two dollars shall accompany each application for a permit hereunder. Fee.

SECTION 3. This act shall take effect upon its passage.

Approved March 12, 1913.

AN ACT RELATIVE TO THE SALE OF CERTAIN HORSES. *Chap.* 281

Be it enacted, etc., as follows:

Section one of chapter one hundred and eighty-five of the acts of the year nineteen hundred and six is hereby amended by inserting after the word "auction", in the third line, the words: — or for any person to sell at private sale, — and also by adding at the end of the section: — But this section shall not be construed to prohibit the purchase of animals by humane societies incorporated under the laws of this commonwealth for the purpose of humanely killing the same, — so as to read as follows: — *Section 1.* It shall be unlawful for any person holding an auctioneer's license to receive or offer for sale or to sell at public auction, or for any person to sell at private sale, any horse which by reason of debility, disease or lameness, or for other cause, could not be worked in this commonwealth without violating the laws against cruelty to animals. But this section shall not be construed to prohibit the purchase of animals by humane societies incorporated under the laws of this commonwealth for the purpose of humanely killing the same. 1906, 185, § 1, amended. Sale of certain horses prohibited. Not to prohibit purchase in certain cases.

Approved March 12, 1913.

AN ACT RELATIVE TO THE CHELSEA POLICE RELIEF ASSOCIATION. *Chap.* 282

Be it enacted, etc., as follows:

SECTION 1. The Chelsea Police Relief Association, which is incorporated under the general laws, may pay such sum as may be fixed by the association as a death benefit upon the death of the wife of any member of the association. Payment of death benefits by Chelsea Police Relief Association.

SECTION 2. A member of the Chelsea Police Relief Association who resigns or is honorably discharged from the police force of the city of Chelsea may continue to be a member of the said association for such purposes and under such regulations as the association may determine. Certain persons may be continued as members.

SECTION 3. This act shall take effect upon its passage.

Approved March 12, 1913.

*Chap.*283 AN ACT MAKING AN APPROPRIATION FOR THE SALARIES AND EXPENSES OF THE DIRECTORS OF THE PORT OF BOSTON.

Be it enacted, etc., as follows:

Appropriation, directors of the port of Boston.

SECTION 1. The sum of eighty-five thousand dollars is hereby appropriated, to be paid out of the Port of Boston Fund, for the salaries and expenses of the directors of the port of Boston, for the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen, as authorized by chapter six hundred and sixty-three of the acts of the year nineteen hundred and twelve.

SECTION 2. This act shall take effect upon its passage.

Approved March 12, 1913.

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*Chap.*284 AN ACT MAKING APPROPRIATIONS FOR THE COMPENSATION AND EXPENSES OF THE BOARD OF COMMISSIONERS ON FISHERIES AND GAME.

Be it enacted, etc., as follows:

Appropriations, commissioners on fisheries and game.

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, for the compensation and expenses of the board of commissioners on fisheries and game, for the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen, to wit: —

Commissioners, compensation.

For compensation of the commissioners, a sum not exceeding sixty-one hundred and thirty dollars.

Travelling expenses, etc.

For travelling and other expenses, including printing and binding the annual report, a sum not exceeding forty-one hundred and seventy-five dollars.

Clerical services.

For clerical services, a sum not exceeding forty-one hundred and forty dollars.

Enforcement of laws, etc.

For enforcement of the laws relating to fisheries and game, for the propagation and distribution of fish, birds and other animals, and for rent and maintenance of hatcheries, a sum not exceeding seventy-two thousand three hundred and sixty-five dollars.

Stocking great ponds.

For stocking great ponds with food fish, a sum not exceeding five hundred dollars.

Stocking brooks.

For stocking brooks with food fish, a sum not exceeding one hundred dollars.

Protection of lobsters.

For the protection of lobsters with eggs attached, a sum not exceeding twenty-five hundred dollars.

For the establishment of fish hatcheries and the propagation of food and game fish, a sum not exceeding eight thousand dollars. Establishment of fish hatcheries, etc.

For the establishment of state bird and game preserves, and the protection and propagation of wild birds and quadrupeds, a sum not exceeding eleven thousand seven hundred dollars. State bird and game preserves, etc.

Section 2. This act shall take effect upon its passage.

Approved March 12, 1913.

An Act making appropriations for deficiencies in appropriations for certain expenses authorized in the year nineteen hundred and twelve. *Chap.* 285

Be it enacted, etc., as follows:

Section 1. The sums hereinafter mentioned are hereby appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, for certain expenses in excess of the appropriations therefor in the year nineteen hundred and twelve, to wit: — Appropriations.

For printing and binding ordered by the senate and house of representatives, or by concurrent order of the two branches, the sum of forty-six hundred nineteen dollars and forty-seven cents. Printing and binding, senate and house.

For reimbursing certain officials for premiums paid for procuring sureties on their bonds, the sum of four hundred ninety-four dollars and ten cents. Reimbursement of officials for certain expenses.

For incidental and contingent expenses of the secretary of the commonwealth, the sum of one hundred eighty-four dollars and sixty-five cents. Expenses, secretary's department.

For the purchase of paper used in the execution of the contract for state printing, the sum of ninety-six hundred forty-one dollars and sixty-four cents. Purchase of paper.

For expenses in connection with primary elections, the sum of eighty-four hundred four dollars and ninety-five cents. Primary elections.

For blanks for town officers, election laws and blanks and instructions on all matters relating to elections, and for the expense of advertising the state ticket, the sum of one hundred ninety-six dollars and forty-nine cents. Blanks for town officers, etc.

For furnishing cities and towns with ballot boxes, and for repairs to the same, the sum of one hundred eighty-one dollars and fifteen cents. Ballot boxes.

For certain expenses of the land court, the sum of five hundred ninety-five dollars and fifty-four cents. Land court.

Report of trustees of Massachusetts Agricultural College.

For printing and binding the reports of the trustees of the Massachusetts Agricultural College, the sum of two hundred eighty-six dollars and sixty-five cents.

Travelling expenses, etc., of trustees.

For travelling and other expenses of the trustees of the Massachusetts Agricultural College, the sum of one hundred twenty-seven dollars and twelve cents.

Report upon game birds.

For printing a report upon game birds of the commonwealth, the sum of eight hundred seven dollars and nineteen cents.

Damages by wild deer.

For the payment of damages caused by wild deer, the sum of fifty-six hundred eighty-two dollars and thirteen cents.

Penikese hospital.

For current expenses at the Penikese hospital, the sum of fourteen hundred sixty-nine dollars and ninety-two cents.

SECTION 2. This act shall take effect upon its passage.

Approved March 12, 1913.

Chap. 286 AN ACT RELATIVE TO THE LISTING AND REGISTRATION OF VOTERS IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

1907, 560, § 73, etc., amended.

Section seventy-three of chapter five hundred and sixty of the acts of the year nineteen hundred and seven, as amended by chapter four hundred and forty of the acts of the year nineteen hundred and nine, is hereby further amended by striking out, in the thirty-third, thirty-fourth and thirty-fifth lines, the words "first day of September, and no such person shall be listed or be given such certificate later than the twentieth day of September", and inserting in place thereof the words: — thirtieth day preceding a state or a municipal election, and no such person shall be listed or be given such certificate later than the twenty-first day preceding such state or municipal election. The board shall not after the last day for making such application before a state election receive an application until after such election, — so that the third paragraph of said section, as amended,

Certificate to be given in certain cases, etc.

shall read as follows: — If the board, after investigation, is satisfied that such statements are true, it shall give such applicant a certificate that he was a resident of said city on said first day of April, or a certificate that he became a resident at least six months immediately preceding such election, as the case may be, which certificate shall state his name, age, occupation and residence on the first day of April in the current year or on the above date, as the case may be, and his residence on the first day of April in the preceding

year; but no such application shall be received later than the thirtieth day preceding a state or a municipal election, and no such person shall be listed or be given such certificate later than the twenty-first day preceding such state or municipal election. The board shall not after the last day for making such application before a state election receive an application until after such election.

Approved March 12, 1913.

AN ACT TO AUTHORIZE THE TOWN OF MONTEREY TO PURCHASE THE LAKE GARFIELD WATER RIGHTS AND PRIVILEGES. *Chap.* 287

Be it enacted, etc., as follows:

Town of Monterey may purchase Lake Garfield water rights, etc.

SECTION 1. The town of Monterey is hereby authorized to purchase the Lake Garfield water rights and privileges, consisting of a dam and rights of flowage of lands around said Lake Garfield, in said Monterey, now owned by the Ousatonic Water Power Company, a foreign corporation of Derby, in the state of Connecticut; and if the town acquires said title, it shall maintain the water in said lake at a level not more than two feet below the bottom of the present spillway.

May issue bonds, etc.

SECTION 2. Said town may appropriate money for the purchase of said rights and privileges, and may issue serial bonds or notes to an amount not exceeding four thousand dollars, to meet any indebtedness incurred thereby.

May borrow money, etc.

SECTION 3. For the purpose of carrying out the provisions of this act, the town of Monterey is hereby authorized to borrow the sum of four thousand dollars, and to issue therefor twenty notes or bonds of the town for two hundred dollars each. Said notes or bonds shall be payable one each year, beginning not more than one year after the date of issue, so that the whole of said debt shall be payable within twenty years from their date of issue. Said notes or bonds shall bear interest at a rate not exceeding five per cent per annum, payable semi-annually, and the amount required to pay the interest and that part of the principal maturing each year shall be raised by taxation, and shall, without further action by the town, be assessed annually by the assessors in the same manner in which other taxes are assessed, until the debt is extinguished.

Payment of indebtedness.

Treasurer may incur indebtedness, etc., without further vote of town.

SECTION 4. The treasurer of the town of Monterey, with the approval of the selectmen, is hereby authorized, without further vote of the town, to incur indebtedness under the pro-

visions of this act for which said town shall be liable, and to issue notes or bonds of the town therefor as hereinbefore provided.

SECTION 5. This act shall take effect upon its passage.

Approved March 12, 1913.

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*Chap.*288 AN ACT TO PROVIDE FOR THE ADMISSION AS EVIDENCE OF ACCOUNTS KEPT IN THE REGULAR COURSE OF BUSINESS.

Be it enacted, etc., as follows:

Certain accounts may be admitted as evidence in civil proceedings, etc.

An entry in an account kept in a book or by a card system or by any other system of keeping accounts shall not be inadmissible in any civil proceeding as evidence of the facts therein stated because it is transcribed or because it is hearsay or self-serving, if the court finds that the entry was made in good faith in the regular course of business and before the beginning of the civil proceeding aforesaid. The court, in its discretion, before admitting such entry in evidence, may, to such extent as it deems practicable or desirable but to no greater extent than the law has heretofore required, require the party offering the same to produce and offer in evidence the original entry, writing, document or account, or any other from which the entry offered or the facts therein stated were transcribed or taken, and to call as his witness any person who made the entry offered or the original or any other entry, writing, document or account from which the entry offered or the facts therein stated were transcribed or taken, or who has personal knowledge of the facts stated in the entry offered.

Approved March 12, 1913.

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*Chap.*289 AN ACT TO EMPOWER SPECIAL JUSTICES OF THE MUNICIPAL COURT OF THE CITY OF BOSTON AND OTHER SPECIAL JUSTICES TO ACT IN CERTAIN CASES.

Be it enacted, etc., as follows:

Powers and duties of special justices of the municipal court of Boston.

SECTION 1. The special justices of the municipal court of the city of Boston shall at all times have and exercise all the powers and duties of a justice of said court to render decisions, make orders, and do such other acts as they may deem necessary or proper in connection with or relating to matters which have been heard before them while holding a session of said court under the provisions of section fifty-

seven of chapter one hundred and sixty of the Revised Laws.

SECTION 2. Special justices of police, district and municipal courts, except the municipal court of the city of Boston, shall at all times have and exercise all the powers and duties of the justice of said court so far as to render decisions, make orders, and perform such other acts as they may deem necessary or proper in connection with or relating to matters which have been heard before them while holding a session of said court under the provisions of section forty-one of said chapter one hundred and sixty. Powers and duties of special justices of police, district and municipal courts.

SECTION 3. This act shall take effect upon its passage.

Approved March 12, 1913.

AN ACT TO AUTHORIZE THE ADDING OF INTEREST TO DAMAGES AWARDED FOR DEATH CAUSED BY NEGLIGENCE. *Chap.* 290

Be it enacted, etc., as follows:

SECTION 1. In any suit at law hereafter brought in which a verdict is given for pecuniary damages for the death, with or without conscious suffering, of any person, whether or not such person was in the employ of the defendant whose negligence is determined to have been the cause of death, there shall be added to the amount of the verdict interest thereon from the date of the writ. Interest to be added to damages awarded for death caused by negligence.

SECTION 2. This act shall take effect upon its passage.

Approved March 12, 1913.

AN ACT RELATIVE TO INVESTMENTS OF SAVINGS BANKS AND INSTITUTIONS FOR SAVINGS. *Chap.* 291

Be it enacted, etc., as follows:

Section sixty-eight of chapter five hundred and ninety of the acts of the year nineteen hundred and eight, as amended, is hereby further amended by inserting after clause *Thirteenth* thereof the following: — 1908, 590, § 68, etc., amended.

BONDS NOT TO BECOME ILLEGAL BY REASON OF TEMPORARY FAILURE TO MEET LEGAL REQUIREMENTS.

Fourteenth. Bonds which at any time hereafter have been for ten successive years legal investments under the provisions of subdivisions *a*, *b*, *c*, or *d* of clause *Third*, clause *Fifth* or clause *Sixth* of this section shall not be rendered Certain bonds not to become illegal, etc.

illegal although the corporation issuing, assuming or guaranteeing such bonds shall fail for a period not exceeding two successive years to comply as to dividends on its capital stock, with the requirements of the clauses specified above; but no further investment in the bonds issued, assumed or guaranteed by such corporation shall be made during said period. If after the expiration of said period, such corporation complies for the following fiscal year with the requirements of the clauses specified above, it shall be regarded as having complied therewith during said period: *provided*, that it shall not have so failed to comply during any other period within the next preceding ten years.

Proviso.

Approved March 14, 1913.

Chap. 292 AN ACT TO CONFIRM CERTAIN BY-LAWS AND ACTS OF THE ITALIAN CATHOLIC CEMETERY ASSOCIATION.

Be it enacted, etc., as follows:

By-laws, etc., of Italian Catholic Cemetery Association confirmed.

SECTION 1. The by-laws of the Italian Catholic Cemetery Association, a corporation duly established in the year nineteen hundred and five under the general laws and situated in the city of Boston, and the acts of said corporation in voting to issue and in issuing shares of capital stock and fixing the par value and the rights of stockholders thereof, are hereby confirmed and made valid to the same extent as if at that time the said corporation had authority to issue said stock and to fix the par value thereof and to adopt by-laws.

SECTION 2. This act shall take effect upon its passage.

Approved March 19, 1913.

Chap. 293 AN ACT RELATIVE TO THE SUPPRESSION OF THE GYPSY AND BROWN TAIL MOTHS.

Be it enacted, etc., as follows:

Appropriation, suppression of gypsy and brown tail moths.

The state forester is hereby authorized to expend for the suppression of the gypsy and brown tail moths and for expenses incidental thereto, the sum of seventy-five thousand dollars, the same to be in addition to any amount heretofore appropriated for this purpose; and any balance unexpended on December first, nineteen hundred and thirteen, may be used during the year nineteen hundred and fourteen.

Approved March 19, 1913.

An Act relative to the organization of the bank commissioner's department. *Chap.* 294

Be it enacted, etc., as follows:

1908, 590, § 3, etc., amended.

Section three of chapter five hundred and ninety of the acts of the year nineteen hundred and eight as amended by chapter five hundred and sixteen of the acts of the year nineteen hundred and twelve, is hereby further amended by striking out the words "and five examiners, who shall each receive an annual salary, to be approved by the governor and council", in the fifth and sixth lines, and inserting in place thereof the words: — and such number of examiners and at such salaries as may be approved by the governor and council, — so as to read as follows: — *Section 3.* The commissioner may, with the approval of the governor and council, appoint, and with their consent remove, a deputy commissioner to assist him in his duties, who shall receive an annual salary of thirty-five hundred dollars, and such number of examiners and at such salaries as may be approved by the governor and council. In case of a vacancy in the office of commissioner, or during the absence or disability of that officer, the deputy commissioner shall perform the duties of the office. The commissioner may employ such clerks and assistants as the public business in his charge may require, at salaries to be approved by the governor and council, and shall also be allowed necessary office expenses and the actual expenses incurred by him and his subordinates in travelling in the performance of official duties. The deputy commissioner, examiners, clerks and assistants shall give bonds with sureties to be approved by the commissioner, in such sum as he may require, for the faithful performance of their duties, the expense of procuring which shall be paid by the commonwealth.

Deputy commissioner, appointment, etc.

Clerks and assistants, etc.

To give bonds, etc.

Approved March 19, 1913.

An Act relative to the annual report of the trustees of Massachusetts training schools. *Chap.* 295

Be it enacted, etc., as follows:

Section 1. The trustees of Massachusetts training schools are hereby authorized to consolidate in their annual

Reports of Massachusetts training

schools, etc., consolidated, etc.

report the reports of all the institutions and departments in their charge, and to print two thousand copies thereof.

SECTION 2. This act shall take effect upon its passage.

Approved March 19, 1913.

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*Chap.*296 AN ACT TO PROVIDE FOR THE BETTER PROTECTION OF CROPS FROM INSECT PESTS.

Be it enacted, etc., as follows:

Protection, etc., of certain birds.

Cities by a vote of the city council, and towns by a vote at town meeting, may appropriate money for the protection and encouragement of birds which live upon insects injurious

Bird wardens.

to crops and trees. Such protection and encouragement may include the appointment and payment of bird wardens.

Approved March 19, 1913.

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*Chap.*297 AN ACT TO PROVIDE FOR THE MAINTENANCE BY THE METROPOLITAN PARK COMMISSION OF A RECREATION PARK OR PLAYGROUND ON CHARLES RIVER IN THE CITY OF WALTHAM.

Be it enacted, etc., as follows:

Playground may be maintained on the bank of Charles river in Waltham.

SECTION 1. The metropolitan park commission is hereby authorized and directed to maintain a public recreation park or playground, with the necessary appurtenances, on land heretofore taken by the commission on the bank of Charles river in the city of Waltham.

Appropriation.

SECTION 2. For the above purpose the sum of one thousand dollars is hereby appropriated, to be paid from the treasury of the commonwealth out of the Metropolitan Parks Maintenance Fund, and to be repaid to the commonwealth by the cities and towns in the metropolitan district in accordance with the provisions of chapter four hundred and seven of the acts of the year eighteen hundred and ninety-three.

SECTION 3. This act shall take effect upon its passage.

Approved March 19, 1913.

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*Chap.*298 AN ACT RELATIVE TO SEWER LOANS OF THE CITY OF BEVERLY.

Be it enacted, etc., as follows:

Limitations upon amount of sewerage bonds of the city of

SECTION 1. The limitations upon the amount of sewerage bonds of the city of Beverly authorized by chapter two hundred and fifty of the acts of the year eighteen hundred

and ninety-three, by chapter two hundred and eighty-eight of the acts of the year nineteen hundred, by chapter one hundred and eighty-two of the acts of the year nineteen hundred and three, and by chapter one hundred and ten of the acts of the year nineteen hundred and six, shall not be construed as limitations upon the general power of the city of Beverly to issue bonds or notes for sewerage purposes, but as limitations merely upon the amounts thereof which are not to be reckoned in determining the statutory debt limit of the city. This act shall be applicable to all sewerage bonds or notes of said city whether heretofore or hereafter issued. Beverly construed.

Section 2. This act shall take effect upon its passage.

Approved March 19, 1913.

An Act to establish a board of trustees of hospitals for the city of Fall River. *Chap.* 299

Be it enacted, etc., as follows:

Section 1. The city of Fall River shall establish and maintain all its municipal hospitals and dispensaries now existing or hereafter authorized through a board of trustees, which shall have the sole and exclusive management thereof, including all hospitals now managed and controlled by the overseers of the poor or by the board of health of said city, under the general or special laws of the commonwealth. Board of trustees of hospitals for the city of Fall River established.

Section 2. Said board of trustees shall consist of five persons, who shall serve without compensation; one shall be appointed annually by the board of overseers of the poor, subject to the approval of the mayor and to confirmation by the board of aldermen, one shall be appointed annually by the board of health, subject to the approval of the mayor and to confirmation by the board of aldermen, and three shall be appointed by the mayor and confirmed by the board of aldermen as follows: In the year nineteen hundred and thirteen one trustee shall be appointed to serve for one year; one to serve for two years, and one to serve for three years; and thereafter one trustee shall annually be appointed by the mayor, subject to confirmation by the board of aldermen, to serve for three years. The term of office of each of said trustees shall begin and end on the first Monday of February. Appointment, terms, etc.

Section 3. Section thirty of chapter three hundred and ninety-three of the acts of the year nineteen hundred and Repeal.

two, and all acts and parts of acts inconsistent herewith are hereby repealed.

SECTION 4. This act shall take effect upon its passage.

Approved March 19, 1913.

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*Chap.*300 AN ACT RELATIVE TO LIENS BY PERSONS MAINTAINING PUBLIC GARAGES.

Be it enacted, etc., as follows:

Certain charges to constitute a lien upon automobiles, etc.

SECTION 1. Persons maintaining public garages for the storage and care of automobiles and other motor vehicles which are brought to their premises or placed in their care by or with the consent of the owners thereof shall have a lien upon such automobiles or motor vehicles for proper charges due them for the storage and care of the same.

Enforcement of lien.

SECTION 2. The lien hereby authorized may be enforced as provided in sections twenty-three to twenty-seven, inclusive, of chapter one hundred and ninety-eight of the Revised Laws, except that the time for filing the petition and service of notice shall be as provided in section twenty-nine of said chapter.

SECTION 3. This act shall take effect upon its passage.

Approved March 19, 1913.

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*Chap.*301 AN ACT TO AUTHORIZE THE TOWN OF WHITMAN TO SUPPLY WATER TO INHABITANTS OF THE TOWN OF HANSON.

Be it enacted, etc., as follows:

Town of Whitman may supply water to certain inhabitants of the town of Hanson.

SECTION 1. The town of Whitman is hereby authorized to furnish to the inhabitants of the town of Hanson who desire to purchase water from the town of Whitman, water for domestic or other purposes upon such terms as may be agreed upon by the town of Whitman and the takers of the water in the town of Hanson. For the above purpose the town of Whitman is hereby authorized to lay and construct such pipes and other works in the town of Hanson as may be necessary: *provided, however,* that all work done on the highways in the town of Hanson shall be under the direction and subject to the approval of the selectmen of that town.

Proviso.

SECTION 2. This act shall take effect upon its passage.

Approved March 19, 1913.

An Act making appropriations for sundry miscellaneous expenses authorized by law. *Chap.* 302

Be it enacted, etc., as follows:

Section 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, for the purposes specified, for the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen, to wit: — Appropriations.

For expenses incurred in the construction and repair of roads in the town of Mashpee during the year nineteen hundred and thirteen, the sum of three hundred dollars. Repair, etc., of roads in Mashpee.

For reimbursing certain officials for premiums paid for procuring sureties on their bonds, a sum not exceeding two thousand dollars. Reimbursement of certain officials.

For preliminary plans, specifications, and the like, provided for by the act relative to the construction and improvement of buildings, a sum not exceeding two thousand dollars. Plans, etc., for construction, etc., of buildings.

For medical examiners' fees, a sum not exceeding eight hundred dollars. Medical examiners' fees.

For the payment of damages caused by wild deer for the present year and for previous years, a sum not exceeding sixteen thousand dollars. Damages by wild deer.

For small items of expenditure for which no appropriations have been made, and for cases in which appropriations have been exhausted, or have reverted to the commonwealth in previous years, a sum not exceeding one thousand dollars, to be expended under the direction of the auditor of the commonwealth. Small items of expenditure, etc.

For defraying the expenses of the headquarters of the department of Massachusetts, Grand Army of the Republic, the sum of one thousand dollars. Department of Massachusetts, G. A. R.

For the salary of the second deputy in the office of the secretary of the commonwealth, commencing February first, a sum not exceeding two thousand eighty-three dollars and thirty-three cents; and so much of the amounts appropriated by chapter thirty-three of the acts of the present year for the salary of Herbert H. Boynton, deputy, and for the present corporation clerk, as remained unexpended on February first shall revert to the treasury of the commonwealth. Second deputy in office of secretary of the commonwealth, etc.

For the compensation of certain members of the commission on the holdings of voluntary associations, as au- Commission on holdings of voluntary associations.

thorized by chapter one hundred and thirteen of the resolves of the year nineteen hundred and twelve, a sum not exceeding fifteen hundred dollars, the same to be in addition to any amount heretofore appropriated for this purpose.

Travelling expenses of district attorneys, etc.

For the travelling expenses of district attorneys and assistant district attorneys, for the present year and for previous years, a sum not exceeding five hundred dollars, the same to be in addition to any amount heretofore appropriated for this purpose.

Report of Connecticut Valley waterway board.

For printing the report of the Connecticut Valley waterway board, as authorized by chapter two of the resolves of the present year, a sum not exceeding five hundred dollars.

Town of Westford.

For the town of Westford, as authorized by chapter three of the resolves of the present year, a sum not exceeding two hundred and sixteen dollars.

Commission to investigate certain water supplies.

For expenses of the commission appointed to investigate the subject of water supply for certain cities and towns, as authorized by chapter four of the resolves of the present year, a sum not exceeding twenty-five hundred dollars.

SECTION 2. This act shall take effect upon its passage.

Approved March 19, 1913.

Chap. 303 AN ACT TO ESTABLISH THE STURDY MEMORIAL HOSPITAL IN THE TOWN OF ATTLEBOROUGH.

Be it enacted, etc., as follows:

Sturdy Memorial Hospital established.

SECTION 1. The action of the town of Attleborough in accepting the devise of certain real estate in that town, and the bequest of certain personal property, both given by Ellen A. Winsor, late of said town, deceased, by her will dated April third, nineteen hundred and eleven, for the establishment and maintenance of a memorial hospital for the use of the inhabitants of said town and of such other persons as the hospital may be able to provide for, to be called the Sturdy Memorial Hospital; the trust instrument dated September fifth, nineteen hundred and twelve, conveying the said real estate to the Attleborough Hospital, a corporation duly established by law, and providing for the establishment, maintenance and operation of the said hospital by the said corporation, for the purposes set forth in said will and in said trust instrument; the action of the town in appointing a committee to designate in its behalf the trustee of the said endowment fund; and the action of the said committee

in designating the said Attleborough Hospital as trustee of the said endowment fund, are hereby ratified and confirmed.

The Attleborough Hospital to act as trustee, etc.

Section 2. The Attleborough Hospital, as trustee as aforesaid, shall establish, maintain and operate the said hospital under the name of Sturdy Memorial Hospital, in accordance with the provisions of said will and of said trust instrument; and the Attleborough Hospital is hereby authorized to receive and administer the said endowment fund as trustee as aforesaid, and is further authorized to receive and administer all funds, gifts and bequests which have been or may hereafter be received or held by it, or by the town of Attleborough, for the purposes aforesaid.

To make annual report, etc.

Section 3. The said Attleborough Hospital shall render annually to the town a report of its proceedings with respect to the said real estate, endowment fund and hospital, a statement of the condition of the property, including all gifts or bequests hereafter made, an account of the work done by the hospital during the preceding year, and also a detailed statement of all receipts and expenditures of the hospital during the preceding year, together with such other information or suggestions as the trustees or officers of the hospital may deem expedient, or as the town may at any time require.

Not to affect certain trusts, obligations, etc.

Section 4. Nothing in this act shall be construed to alter or impair any trust created by said will; and the Attleborough Hospital, acting through its trustees, board of managers and other proper officers, shall be deemed the trustee and agent of the town of Attleborough for the proper execution of all trusts arising under the provisions of said will. Nothing in this act shall be construed as releasing the town of Attleborough from any obligation arising from its acceptance of the devise and bequest made by the said will, or from any condition made therein.

Section 5. This act shall take effect upon its passage.

Approved March 19, 1913.

An Act making an appropriation for the soldiers' home in Massachusetts. *Chap.* 304

Be it enacted, etc., as follows:

Appropriation, Soldiers' Home in Massachusetts.

Section 1. The sum of ninety-two thousand dollars is hereby appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, to the trustees of the Soldiers' Home in Massachusetts, toward the support

of the home, as authorized by chapter ten of the resolves of the present year, this amount to be paid in equal quarterly instalments.

SECTION 2. This act shall take effect upon its passage.

Approved March 19, 1913.

Chap. 305 AN ACT RELATIVE TO THE DISSOLUTION OF ATTACHMENTS.

Be it enacted, etc., as follows:

R. L. 167, § 112, amended.

SECTION 1. Section one hundred and twelve of chapter one hundred and sixty-seven of the Revised Laws is hereby amended by adding at the end thereof the words: — But no attachment of property, real or personal, shall be so dissolved upon that part of the property which the debtor had alienated before his decease, — so as to read as follows: — *Section 112.* An attachment of real or personal property shall be dissolved if the debtor dies before it is taken or seized on execution and administration of his estate is granted in this commonwealth upon an application therefor made within one year after his decease. The attaching officer shall also, upon demand, and upon receiving from the executor or administrator of such debtor so appointed his legal fees and charges for attaching and keeping the property attached by him, deliver it to such executor or administrator. But no attachment of property, real or personal, shall be so dissolved upon that part of the property which the debtor had alienated before his decease.

Dissolution of attachment by death of defendant, etc.

SECTION 2. This act shall take effect upon its passage.

Approved March 19, 1913.

Chap. 306 AN ACT TO AUTHORIZE THE CITY OF MEDFORD TO MAKE AN ADDITIONAL LOAN FOR CONSTRUCTING SEWERS.

Be it enacted, etc., as follows:

Medford Sewerage Loan, Act of 1913.

SECTION 1. The city of Medford, for the purpose of paying the expenses and liabilities incurred or to be incurred for sewerage purposes under chapter one hundred and eighty of the acts of the year eighteen hundred and ninety-three, may issue from time to time bonds or notes to an amount not exceeding seventy-five thousand dollars in addition to the amount authorized to be issued by said chapter and by chapter two hundred and ninety-six of the acts of the year

nineteen hundred and nine, and the same shall not be reckoned in determining the statutory limit of indebtedness of the city. Such bonds or notes shall bear on their face the words, Medford Sewerage Loan, Act of 1913, and shall be payable by such annual payments, beginning not more than one year after the respective dates thereof, as will extinguish each loan within thirty years from its date, and the amount of such annual payment of any loan in any year shall not be less than the amount of the principal of said loan payable in any subsequent year. Each authorized issue of bonds or notes shall constitute a separate loan. Said bonds or notes shall bear interest, payable semi-annually, at such rate, not exceeding four and one half per cent per annum, as the mayor and aldermen of the city may determine. The said securities shall be signed by the mayor and the treasurer of the city, and countersigned by the auditor, and the city may sell the same or any part thereof at public or private sale; but they shall not be sold for less than their par value.

Payment of loan.

Section 2. The said city shall, at the time of authorizing said loan or loans, provide for the payment thereof in accordance with section one of this act; and when a vote to that effect has been passed, a sum which, with the income derived from assessments, rates or payments made in lieu thereof, will be sufficient to pay the annual expense of operating its sewerage system, and the interest as it accrues on the bonds or notes issued as aforesaid by the city, and to make such payments on the principal as may be required under the provisions of this act, shall, without further vote, be assessed by the assessors of the city annually thereafter, in the same manner in which other taxes are assessed, until the debt incurred by said loan or loans is extinguished.

Proceeds of sale of bonds, etc., may be used to pay certain costs, etc.

Section 3. The costs and expenses incurred by the city under authority of chapter one hundred and sixty-two of the acts of the year eighteen hundred and ninety-four, except for construction of walks or ways, may be paid by appropriations from the proceeds of the sale of any securities issued under authority hereof.

Amount which may be borrowed annually limited.

Section 4. The amount which the city of Medford may borrow in any one year under authority of this act, shall not exceed fifteen thousand dollars.

Section 5. This act shall take effect upon its passage.

Approved March 19, 1913.

*Chap.*307 AN ACT RELATIVE TO EQUITABLE DEFENCES IN ANSWERS.

Be it enacted, etc., as follows:

R. L. 173, § 28, amended.

SECTION 1. Section twenty-eight of chapter one hundred and seventy-three of the Revised Laws is hereby amended by striking out the period at the end of said section and inserting in place thereof a semicolon and the words: — and such defence shall be available in any court where said action is pending, — so as to read as follows: — *Section 28.* The defendant may allege in defence any facts which would entitle him in equity to be absolutely and unconditionally relieved against the plaintiff's claim or cause of action or against a judgment recovered by the plaintiff in such action; and such defence shall be available in any court where said action is pending.

Equitable defences available in any court, etc.

SECTION 2. This act shall take effect upon its passage.

Approved March 19, 1913.

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*Chap.*308 AN ACT RELATIVE TO THE REINSTATEMENT OF DENNIS F. COURTNEY IN THE FIRE DEPARTMENT OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

Reinstatement of Dennis F. Courtney in fire department of Boston.

SECTION 1. The fire commissioner of the city of Boston is hereby authorized to reinstate as a member of the fire department Dennis F. Courtney, who resigned from the department on account of illness.

SECTION 2. This act shall take effect upon its passage.

Approved March 19, 1913.

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*Chap.*309 AN ACT RELATIVE TO THE SERVICE OF WRITS.

Be it enacted, etc., as follows:

R. L. 167, § 35, amended.

Section thirty-five of chapter one hundred and sixty-seven of the Revised Laws is hereby amended by striking out, in the ninth and tenth lines, the words "and another like copy with the mayor, clerk or one of the aldermen of the city, or", and inserting in place thereof the words: — or, in case of the absence of the treasurer of a town from the town of which he is treasurer, — so as to read as follows: — *Section 35.* In an action against a county, the summons shall be served by leaving an attested copy thereof with the county

Service of summons on certain corporations, etc.

treasurer and with one of the county commissioners or one of the officers who by law exercise the powers of county commissioners. In an action against a city, town, parish or religious society, or against the proprietors of wharves, general fields or real estate lying in common, the summons shall be served by leaving an attested copy thereof with the treasurer of the corporation or of the proprietors, or, in case of the absence of the treasurer of a town from the town of which he is treasurer, with one of the selectmen of the town, or with one of the assessors or standing committee of the parish or religious society, or with one of the proprietors of such land or other estate, as the case may be; and if no such treasurer is found within the county, the copy shall be left with one of the other officers before mentioned, or with one of said proprietors; and if there are no such officers, the copy shall be left with one of the inhabitants of the county, city or town, or with one of the members of the corporation.

Approved March 19, 1913.

An Act to permit certain employees of the commonwealth to become members of the state employees' retirement association. *Chap.* 310

Be it enacted, etc., as follows:

Section 1. Any person who has heretofore given notice in writing to the insurance commissioner that he did not wish to join the retirement association established by chapter five hundred and thirty-two of the acts of the year nineteen hundred and eleven, in accordance with clause (1) of section three thereof, may become a member of the said association: *provided*, that he gives notice in writing to the insurance commissioner during the calendar year nineteen hundred and thirteen that he desires to become a member of the association.

Certain persons may become members of state employees' retirement association.

Proviso.

Section 2. The pension for prior service of any person becoming a member of the retirement association under the provisions of this act shall not be based upon or include any allowance for the period of time between the first day of June, nineteen hundred and twelve, and the date when such person becomes a member of the association.

Determination of pension for prior service.

Section 3. This act shall take effect upon its passage.

Approved March 19, 1913.

Chap. 311 AN ACT RELATIVE TO THE FORMS FOR THE COLLECTION OF TAXES.

Be it enacted, etc., as follows:

1909, 490, Part II, § 89, amended.

SECTION 1. The schedule of forms numbered one to twenty-eight, inclusive, contained in section eighty-nine of Part II of chapter four hundred and ninety of the acts of the year nineteen hundred and nine is hereby repealed, and the following schedule of forms is inserted in place thereof:

SCHEDULE OF FORMS.

Forms.

No. 1. — FORM OF DEMAND UNDER SECTION 14.

COLLECTOR'S OFFICE, B, , 19 .

To.....

Herewith find your tax bill due 19 , amounting to $. Payment of the same is hereby demanded. [If interest has been voted by the city or town, add] Interest at the rate of per cent per annum will be charged from 19 . You are hereby notified that unless your tax is paid in fourteen days from this date, with all legal charges, [In towns where the collector is paid a commission in lieu of a salary, add these words: — and twenty cents for this demand,] the collector will then proceed to collect the same according to law.

C D,
Collector of Taxes for the of .

No. 2. — FORM OF NOTICE OF SALE OF DISTRAINED PROPERTY UNDER SECTION 22.

COLLECTOR'S SALE.

Distrained upon a warrant of distress for non-payment of taxes, and will be sold by public auction on , the day of , 19 , at o'clock M., at , unless said taxes, interest and charges shall be paid before the sale, the following described property, to wit: [Here describe the property.]

B, 19 . C D,
Collector of Taxes for the of .

No. 3. — FORM OF NOTICE OF ADJOURNMENT OF SALE UNDER SECTION 23.

[To the original notice of sale, or a copy thereof, add the following, and post at the place of sale: —]

The collector hereby gives notice that the above sale stands adjourned to , the day of , 19 , at the same hour and place.

B, 19 . C D,
Collector of Taxes for the of .

No. 4. — FORM OF CERTIFICATE TO BE MADE UPON AN ATTESTED COPY OF WARRANT WHEN CORPORATE STOCK IS SEIZED UNDER SECTION 24. Forms.

COLLECTOR'S OFFICE, B, , 19 .

I hereby give notice that I have seized share of the capital stock of the [A B Company] standing in the name of by virtue of a warrant of distress, a copy of which is herewith presented. Said share being seized and distrained for the non-payment of a tax duly assessed upon the said by the assessors of for the year 19 , amounting to the sum of which the said , after due demand, has neglected and refused to pay.

B, 19 . C D,
Collector of Taxes for the of .

No. 5. — FORM OF COLLECTOR'S WARRANT TO DISTRAIN OR COMMIT UNDER SECTION 32.

COMMONWEALTH OF MASSACHUSETTS.

To the Sheriffs of our several Counties, or their Deputies, or to any Constable of or Deputy Collector of Taxes for the of in the County of .

GREETING:

WHEREAS, a resident of in the County of was duly assessed as of the first day of April in the year nineteen hundred and , by the Assessors of the of a tax in the sum of dollars; and the same now, after the expiration of fourteen days from the date of a demand made upon him by me in accordance with law for the payment of the same, remains unpaid; Therefore,

In the name of the Commonwealth of Massachusetts, you and each of you, are required and directed to distrain the goods or chattels of the said person so assessed sufficient to satisfy and pay the amount due for such tax and interest, and all fees and charges of keeping and selling the same, saving and excepting the tools or implements necessary for the trade or occupation of the said person so assessed, beasts of the plow necessary for the cultivation of his improved land; military arms; utensils for housekeeping necessary for upholding life; and bedding and apparel necessary for the said person so assessed and his family. And the goods and chattels so distrained by you, you are required to keep at the cost and charge of the owner for four days at least and within seven days after the seizure to sell the same at public auction, for the payment of the said amount due, having first posted up a notice of the sale in some public place in the city or town where found, forty-eight hours at least before the sale: *provided, however,* that you may, if you shall see fit, once adjourn said sale for a time not exceeding three days, in which case you shall forthwith post up a notice of such adjournment and of the time and place of sale. And if said distress shall be sold for more than the said amount due, you shall return the surplus to the owner of such goods or

Forms.

chattels upon demand, with an account in writing of the sale and charges. And if you cannot find sufficient goods and chattels belonging to the person assessed, whereon to make distress, you shall take the body of the said person and him commit to one of the common jails in the county in which you shall arrest him, there to remain until he shall pay said tax, interest, charges, and fees, and for an arrest, one dollar and actual travelling expenses incurred in making such arrest; or until he shall be discharged therefrom by due course of law; *provided, however*, that you may at your discretion, after the service of this Warrant, allow such person to go free for a period not exceeding fourteen days after said service, at which time if said person does not pay his tax with all fees and charges due thereon including one dollar for service of this Warrant and five cents for each mile travelled by you in the performance of this collection you shall then arrest said person on this Warrant and commit him to jail as aforesaid. But if you shall commit such person for the non-payment of a poll tax only he shall not be detained in jail more than seven days.

And in case you shall commit said person so assessed to jail by virtue of this Warrant, you are required to give the keeper of the jail wherein he may be committed an attested copy of this Warrant, with a certificate thereon under your hand, setting forth that for want of goods and chattels of the said person whereof to make distress, you have taken his body and committed him to jail as aforesaid; and also setting forth the amount said person is to pay as his tax, interest, charges, fees and travelling expenses as provided by statute.

Hereof fail not, and make return of this Warrant, with your doings thereon, within sixty days from the date hereof.

Given under my hand and seal this day of 19 .

[SEAL.]

Collector of Taxes for the of .

No. 6. — FORM OF CERTIFICATE REQUIRED BY SECTION 28 TO BE GIVEN BY A COLLECTOR WHEN A COMMITMENT IS MADE BY HIM.

, 19 .

I hereby certify that the tax assessed in the of as of the first day of April in the year 19 upon remains unpaid for fourteen days after demand therefor made by me and still remains unpaid; and that for want of goods and chattels whereof to make distress, I commit the said person to jail.

I also certify that the amount the said person is to pay for said tax, interest, charges, fees, and travelling expenses as provided by statute, is dollars.

Collector of Taxes for the of .

No. 7. — FORM OF CERTIFICATE REQUIRED BY SECTION 28 TO BE INDORSED ON COPY OF WARRANT IN CASE OF COMMITMENT.

, 19 .

I hereby certify that, by virtue of the warrant, of which the within is a true copy, for want of goods and chattels whereof to

make distress, I have taken the body of the within named and committed him to jail, and that the amount which he is to pay as his tax, interest, charges, fees, and travelling expenses as provided by statute, is dollars. Forms.

E F,

Deputy Collector of Taxes for the of .

No. 8. — FORM OF SUMMONS UNDER SECTION 15.

B, , 19 .

To.....

Your tax for the year 19 , amounting to $ (*and interest thereon*), is now due. You are required to pay the same within ten days from this date with twenty cents for this summons. At the expiration of that time, if the tax is not paid, the collector will proceed to collect the same according to law.

C D,

Collector of Taxes for the of .

No. 9. — FORM OF DEMAND OF TAX ON REAL ESTATE UNDER SECTION 36.

COLLECTOR'S OFFICE, C, , 19 .

To.....

In compliance with the statute I hereby demand of you payment of dollars, that being the amount of tax assessed for the year 19 on the estate in this [city or town] [here give a brief statement of the estate] and owned or occupied by you at the date of assessment. You are hereby notified that if said amount, together with the interest, legal costs and charges thereon, is not paid within fourteen days from this date, [in towns where the collector is paid a commission in lieu of a salary, add these words: — with twenty cents for this demand] the said estate will be sold by public auction, pursuant to law.

C D,

Collector of Taxes for the of .

No. 10. — FORM OF COLLECTOR'S NOTICE OF SALE OF REAL ESTATE TO BE PUBLISHED IN A NEWSPAPER UNDER SECTION 39.

B, , 19 .

The owners and occupants of the following described parcels of real estate situated in the [city or town] of , in the county of and Commonwealth of Massachusetts, and the public are hereby notified that the taxes thereon severally assessed for the years hereinafter specified, according to the list committed to me as collector of taxes for said by the assessors of taxes, remain unpaid, and that the smallest undivided part of said land sufficient to satisfy said taxes, with interest and all legal costs and charges, or the whole of said land if no person offers to take an undivided part thereof, will be offered for sale by public auction at the in said on , 19 , at o'clock M., for the payment of said taxes with interest, costs and charges thereon, unless the same shall be previously discharged. [Here state the name of the party taxed, if

Forms.

known; a substantially accurate description of the estate; the year in which the tax is assessed; and the amount of the tax on each parcel of real estate.]

C D,
Collector of Taxes for the of .

No. 11. — FORM OF AFFIDAVIT OF COLLECTOR, DEPUTY COLLECTOR OR DISINTERESTED PERSON OF DEMAND UNDER SECTION 58 TO BE RECORDED IN THE REGISTRY OF DEEDS.

S, , 19 .

I [A B, *collector, deputy collector or a disinterested person,*] hereby certify that on the day of , 19 , I served upon a demand for the payment of a tax of dollars assessed upon him by the assessors of , in 19 , upon the estate in said [here give a substantially accurate description of the estate], with a notice that if said amount and interest thereon, together with the legal costs and charges and interest thereon, was not paid within fourteen days from the date thereof, that the said estate would be sold by public auction, pursuant to law.

A B,

COMMONWEALTH OF MASSACHUSETTS.

H , ss. 19 .

Then personally appeared the said A B, and made oath that this statement by him subscribed is true.

Before me,
Justice of the Peace.

No. 12. — FORM OF AFFIDAVIT UNDER SECTION 58, WHEN THE DEMAND IS MADE UPON TWO OR MORE PERSONS.

S, , 19 .

I [A B, *collector, deputy collector or a disinterested person,*] hereby certify that on or since the day of 19 , I served on each of the parties hereafter mentioned, on the date and in the manner specified, as may be seen by reference to their respective names, a demand like the blank hereunto attached, the blanks being first filled with the date, name, amount of the tax, and location of the real estate.

A B.

Names.	Amount of Tax.		Manner and Date of Service.

COMMONWEALTH OF MASSACHUSETTS.

H , ss. S, , 19 .

Then personally appeared the said A B, and made oath that the above statement by him subscribed is true.

Before me,
Justice of the Peace.

[Here annex the blank form, No. 9, referred to in the affidavit.]

NO. 13. — FORM OF AFFIDAVIT OF POSTING AND PUBLISHING ADVERTISEMENT OF SALE UNDER SECTION 58. Forms.

S, , 19 .

I, A B, of , in the County of , and Commonwealth of Massachusetts [*collector, deputy collector or a disinterested person,*] hereby certify that three weeks before the time of sale I witnessed the posting [or posted] pursuant to law the printed notice of the collector of taxes, a copy whereof is hereto annexed, in a convenient and public place in his precinct, to wit: The , in said [city or town], and that said notice was advertised three weeks successively in the , a newspaper published in [city or town] [or if there is no such newspaper, state that fact and add: in said County], the last publication being at least one week before the advertised time of sale; in accordance with law.

A B.

COMMONWEALTH OF MASSACHUSETTS.

H , ss. S, , 19 .

Then personally appeared the above named , and made oath that the foregoing statements by him subscribed are true.

Before me,

Justice of the Peace.

[Here annex a copy of the advertisement.]

NO. 14. — FORM OF DEED UNDER SECTIONS 42 AND 44.

COMMONWEALTH OF MASSACHUSETTS.

To all Persons to whom these Presents may come,

I, , Collector of Taxes for the [city or town] of , in the County of and Commonwealth of Massachusetts,

SEND GREETING:

WHEREAS, the Assessors of Taxes of said of , in the lists of assessments for taxes, which they committed to me to collect for the year one thousand nine hundred and , duly assessed as owner of the land in said , which is hereinafter described, the sum of dollars and cents, for State, County and [City or Town] Taxes thereon; and whereas, on the day of , A.D. 19 , I duly demanded of said [if the demand was made on a mortgagee or an attorney of a non-resident owner, here insert the fact] the payment of said taxes, so as aforesaid assessed on said land, and the same were not paid; and whereas, after the expiration of fourteen days from the time of demanding payment of said taxes as aforesaid, the same still remaining unpaid, I duly advertised that the smallest undivided part of said land sufficient to satisfy said taxes with interest and all legal costs and charges, or the whole of said land if no person offers to take an undivided part thereof, would be sold by public auction for the payment of said taxes with interest, and all legal costs and charges, on the day of , A.D. 19 , at o'clock in the noon, at the , in said , by publishing an advertisement thereof, con-

Forms.

taining also a substantially accurate description, and the name of the owner of said land, and the amount of the taxes so as aforesaid assessed thereon, in the , a newspaper published in , in the county where said land lies, three weeks successively, the last publication whereof was one week before the time appointed for the sale, and by posting the said advertisement in public and convenient places in said , to wit: the , three weeks before the time appointed for said sale; and whereas, said taxes so as aforesaid assessed on said land were not paid, I proceeded at the time and place appointed as aforesaid for the sale, to sell said land by public auction for the discharge and payment of said taxes thereon with interest, and said legal costs and charges [if the sale is adjourned add here], and no person appeared and bid for an undivided part or for the whole of the land thus offered for sale an amount equal to the said taxes, interest, costs and charges, and I thereupon, at said time and place appointed for said sale, adjourned said sale until the day of , A.D. 19 , at o'clock in the noon, at the same place, and then and there made public proclamation of said adjournment; and in like manner in all respects and for the same cause, I adjourned said sale [here state the successive dates, hours and places to which the sale was adjourned], and then and there made public proclamation of said adjournments; and at the time and place so fixed and proclaimed for making said sale on each of the several days, I proceeded to offer for sale said land by public auction for the payment of said taxes, interest, costs and charges, and no person appeared at either time so fixed by adjournment for said sale and bid a sum equal to said taxes, interest, costs and charges, until on the day of , A.D. 19 , the time and place so fixed for said sale by the last of the said adjournments [use such of these averments as will conform to the facts], I proceeded again to offer for sale by public auction for the payment of said taxes, interest, costs and charges, the smallest undivided part of said land sufficient for the payment of said taxes with interest and legal costs and charges; [If an offer is made for an undivided part use the following:] and of in the county of and State of offered at said auction to take one undivided part of said land and to pay therefor the amount of said taxes with interest and the legal costs and charges, and that being the smallest undivided part of said land offered to be taken for the payment of said taxes, interest, costs and charges, one undivided part of said land was struck off to said .

Therefore, know ye, that I, the said Collector of Taxes as aforesaid, by virtue of the power vested in me by law, and in consideration of the said sum of dollars and cents to me paid by said , the receipt whereof I do hereby acknowledge, do hereby give, grant, bargain, sell and convey unto the said , one undivided part of the following described land, being the land taxed as aforesaid, to wit: [Here describe the land].

[If sale is made of the whole proceed as follows:] [and no person offering at said auction to take an undivided part of said land, the

whole of said land was struck off to of Forms.
in the county of and State of for the sum of
dollars and cents, he being the highest
bidder therefor:]

Therefore, know ye, that I, the said Collector of Taxes, as aforesaid, by virtue of the power vested in me by law, and in consideration of the said sum of dollars and cents to me paid by said , the receipt whereof I do hereby acknowledge, do hereby give, grant, bargain, sell and convey unto the said the following described land, the same being the land taxed as aforesaid, to wit: [Here describe the land.]

[In each case conclude as follows:]

To have and to hold the same, to the said , h heirs and assigns, to and their use and behoof forever; subject to the right of redemption by any person legally entitled to redeem the same and to all easements and restrictions lawfully existing in, upon or over said land or appurtenant thereto when so taken.

And I, the said collector, do covenant with the said , h heirs and assigns, that the sale aforesaid has, in all particulars, been conducted according to law.

In witness whereof, I, the said , Collector as aforesaid, have hereunto set my hand and seal, this day of , in the year of our Lord one thousand nine hundred and .

[SEAL.]

Collector of Taxes for the of .

Signed, sealed and delivered in presence of .

ss. 19 .

Then personally appeared the above named , Collector of Taxes for the of , and acknowledged the foregoing instrument to be his free act and deed.

Before me,

Justice of the Peace.

No. 15. — Form of Deed when the City or Town is the Purchaser under Sections 47 and 49.

Commonwealth of Massachusetts.

To all Persons to whom these Presents may come,

I, , Collector of Taxes for the [city or town] of , in the County of and Commonwealth of Massachusetts,

Send Greeting:

Whereas, the Assessors of Taxes of said of , in the lists of assessments for taxes, which they committed to me to collect for the year one thousand nine hundred and , duly assessed as owner of the land in said , which is hereinafter described, the sum of dollars and cents, for State, County and [City or Town] Taxes thereon; and whereas, on the day of , A.D. 19 , I duly demanded of said [if the de-

Forms.

mand was made on a mortgagee or an attorney of a non-resident owner, here insert the fact] the payment of said taxes, so as aforesaid assessed on said land, and the same were not paid; and whereas, after the expiration of fourteen days from the time of demanding payment of said taxes as aforesaid, the same still remaining unpaid, I duly advertised that the smallest undivided part of said land sufficient to satisfy said taxes with interest and all legal costs and charges, or the whole of said land if no person offers to take an undivided part thereof, would be sold by public auction for the payment of said taxes with interest, and all legal costs and charges, on the day of , A.D. 19 , at o'clock in the noon, at the , in said , by publishing an advertisement thereof, containing also a substantially accurate description, and the name of the owner of said land, and the amount of the taxes so as aforesaid assessed thereon, in the , a newspaper published in , in the county where said land lies, three weeks successively, the last publication whereof was one week before the time appointed for the sale, and by posting the said advertisement in public and convenient places in said , to wit: the , three weeks before the time appointed for said sale; and whereas, said taxes so as aforesaid assessed on said land were not paid, I proceeded at the time and place appointed as aforesaid for the sale, to sell said land by public auction for the discharge and payment of said taxes thereon with interest, and said legal costs and charges and no person appeared and bid for the estate thus offered for sale an amount equal to the said taxes, interest, costs and charges, and I thereupon, at said time and place appointed for sale, adjourned said sale until the day of A.D. 19 , at o'clock in the noon at the same place, and then and there made public proclamation of said adjournment; and in like manner in all respects and for the same cause I adjourned said sale [here state the successive dates, hours and places to which the sale was adjourned], and then and there made public proclamation of said adjournments; and at the time and place so fixed and proclaimed for making said sale on each of said several days, I proceeded to offer for sale said real estate by public auction for the payment of said taxes, interest, costs and charges, and no person appeared at either time so fixed by adjournment for said sale and bid a sum equal to said taxes, interest, costs and charges, and at the time and place so fixed for said sale by the last of the said adjournments, namely, on the day of , A.D. 19 , at o'clock in the noon, I made a public declaration of all the facts hereinbefore recited; and no person then appeared and bid a sum equal to said taxes, interest, costs and charges [if only one adjournment is made, change these averments to conform to the facts]; and I thereupon then and there immediately gave public notice that I should, and that I then and there did purchase on behalf of the said of , said real estate for the sum of dollars and cents, being the amount of said taxes, interest, costs and charges;

Therefore know ye, that I, the said , Collector of Taxes as aforesaid, by virtue of the power vested in me by law, and

in consideration of the premises, hereby give, grant, bargain, sell and convey unto the said of , the following described real estate, the same being the land taxed as aforesaid, to wit: [Here describe the estate.] Forms.

To have and to hold the same, to the said [city or town] of , and its assigns, to its and their use and behoof forever; subject to the right of redemption by any person legally entitled to redeem the same and to all easements and restrictions lawfully existing in, upon or over said land or appurtenant thereto when so taken.

And I, the said Collector, do covenant with the said of , and its assigns, that the sale aforesaid has, in all particulars, been conducted according to law.

In witness whereof, I, the said , Collector as aforesaid, have hereunto set my hand and seal, this day of , in the year of our Lord one thousand nine hundred and .

[SEAL.]

Collector of Taxes for the of .

Signed, sealed and delivered in presence of .

ss. 19 .

Then personally appeared the above named , Collector of Taxes for the of , and acknowledged the foregoing instrument to be his free act and deed.

Before me,

Justice of the Peace.

No. 16. — Form of Deed to City or Town, when the Purchaser fails to pay, etc., under Sections 48 and 49.

Commonwealth of Massachusetts.

To all Persons to whom these Presents may come,

I, , Collector of Taxes for the [city or town] of , in the County of and Commonwealth of Massachusetts,

Send Greeting:

Whereas, the Assessors of Taxes of said of , in the lists of assessments for taxes, which they committed to me to collect for the year one thousand nine hundred and , duly assessed as owner of the land in said , which is hereinafter described, the sum of dollars and cents, for State, County and [City or Town] Taxes thereon; and whereas, on the day of , A.D. 19 , I duly demanded of said [if demand was made on a mortgagee or an attorney of a non-resident owner, here insert the fact] the payment of said taxes, so as aforesaid assessed on said land, and the same were not paid; and whereas, after the expiration of fourteen days from the time of demanding payment of said taxes as aforesaid, the same still remaining unpaid, I duly advertised that the smallest undivided part of said land sufficient to satisfy said taxes with interest and all legal costs and charges, or the whole of said land if no person offers to take an undivided part thereof, would be sold by public

Forms.

auction for the payment of said taxes with interest, and all legal costs and charges, on the day of , A.D. 19 , at o'clock in the noon, at the , in said , by publishing an advertisement thereof, containing also a substantially accurate description, and the name of the owner of said land, and the amount of the taxes so as aforesaid assessed thereon, in the , a newspaper published in , in the county where said land lies, three weeks successively, the last publication whereof was one week before the time appointed for the sale, and by posting the said advertisement in public and convenient places in said , to wit: the , three weeks before the time appointed for said sale; and whereas, said taxes so as aforesaid assessed on said land were not paid, I proceeded at the time and place appointed as aforesaid for the sale, to sell said land by public auction for the discharge and payment of said taxes thereon with interest, and said legal costs and charges, and the said real estate was struck off to of in the County of and State of for the sum of dollars and cents, he being the highest bidder therefor; and whereas, the said failed to pay to me the sum offered by him as aforesaid, and receive his deed of the premises bid off by him, within twenty days after the said sale, and the said sale became null and void, and the said of thereby became the purchaser of the premises so bid off by the said for the sum of dollars and cents, being the amount of said taxes, interest, costs and charges;

Therefore know ye, that I, the said Collector of Taxes as aforesaid, by virtue of the power vested in me by law, and in consideration of the premises, hereby give, grant, bargain, sell and convey unto the said of , the following described real estate, the same being the land taxed as aforesaid, to wit: [Here describe the estate.]

To have and to hold the same, to the said of , and its assigns, to its and their use and behoof forever; subject to the right of redemption by any person legally entitled to redeem the same, and to all easements and restrictions lawfully existing in, upon or over said land or appurtenant thereto when so taken.

And I, the said Collector, do covenant with the said of and its assigns, that the sale aforesaid has, in all particulars been conducted according to law.

In witness whereof, I, the said , Collector as aforesaid, have hereunto set my hand and seal, this day of , in the year of our Lord one thousand nine hundred and .

[SEAL.]

Collector of Taxes for the of .

Signed, sealed and delivered in presence of .

ss. 19 .

Then personally appeared the above named , Collector of Taxes for the of , and acknowledged the foregoing instrument to be his free act and deed.

Before me,

Justice of the Peace.

NO. 17. — FORM OF NOTICE OF INTENTION TO TAKE REAL ESTATE UNDER SECTION 54. Forms.

COLLECTOR'S NOTICE.

The owners and occupants of the following described parcels of real estate situate in the of , in the County of , and Commonwealth of Massachusetts, and all other persons, are hereby notified that the taxes thereon, severally assessed for the year hereinafter specified, according to the list committed to me as Collector of Taxes for the said of , by the Assessors of Taxes of said , remain unpaid, and that said parcels of real estate will be taken for the said of , on the day of A.D. 19 , at o'clock M., for the payment of said taxes, together with the interest, costs and charges thereon, unless the same shall be previously discharged. [Here state the name of owner or occupant, a description of the parcel or parcels of lands, the year for which the taxes were assessed, and the sum assessed upon each parcel.]

C D,
Collector of Taxes for the of .

NO. 18. — FORM OF AFFIDAVIT OF DEMAND AND NOTICE TO BE ANNEXED TO THE INSTRUMENT OF TAKING UNDER SECTION 58.

I, C D, of in the County of , and Commonwealth of Massachusetts, on oath depose and say that on the day of A.D. 19 , I, as Collector of Taxes for the of , made a written demand on for the amount of the tax assessed by the assessors of said of , as of the first day of April, A.D. 19 , upon the said , with the interest, costs and charges, then due, on certain real estate situated in said of , by [Here state manner in which the demand was made], of which the following is a true copy: —

"COLLECTOR'S OFFICE, 19 .

To , I hereby demand of you the payment of dollars and cents, that being the amount of tax assessed for the year 19 by the assessors of , on the real estate [Here describe the estate] owned by you. You are hereby notified that if said amount, together with the interest, costs and charges thereon, is not paid within fourteen days from this date, the said real estate will be taken for said taxes for the said [city or town] of . Tax, $; interest, costs and charges, $.

C D,
Collector of Taxes for the of ."

[If notice is published and posted, add:] And I, the said C D, do further depose and say that I posted and published notices, of which the following is a copy [Here annex a copy of the notice],

Forms.

as follows: A copy thereof was posted on [Here state where posted], and I also published a copy of said notice in the , a newspaper published in said [If there be no such paper published in said town, state the fact and add, "in in said county"], three weeks successively, that the posting of said notices and the first publication thereof was more than fourteen days after making the demand as aforesaid; and I do further depose and say that, at the date of the instrument of taking, hereto annexed, the amount of taxes due on the estate therein described, with the interest, costs and charges, amounted to the sum of dollars and cents, and that the parcel or parcels of land were taken for the reason that the taxes remained unpaid at the time of the said taking.

C D,

Collector of Taxes for the of .

ss. , 19 .

Then personally appeared the above named C D, and made oath that the foregoing affidavit by him subscribed is true.

Before me,

Justice of the Peace.

No. 19. — FORM OF TAKING OF REAL ESTATE UNDER SECTION 55.

Whereas, the tax assessed by the assessors of as of the first day of April, in the year 19 , upon as the owner or occupant of the real estate hereinafter described, was duly committed to me as Collector of Taxes for said of ; and whereas, the said taxes, amounting to dollars and cents, have not been paid; and whereas, a demand for the payment of said taxes and the interest, costs and charges then due was made by me on the said on the day of , last past, in conformity to law; and whereas, notice of my intention to take said real estate by virtue of the authority vested in me as Collector of Taxes for said has been duly made, as by law required; and whereas, the said taxes, at the date of this instrument, remain unpaid; now, therefore, KNOW ALL MEN BY THESE PRESENTS, that I, , as Collector of Taxes as aforesaid, by virtue of the power and authority in me vested as aforesaid, have taken, and by these presents do take, for the said of , subject to redemption according to law, and to all easements and restrictions lawfully existing in, upon or over said land or appurtenant thereto when so taken, the following described lot or parcel of land, with the buildings thereon, the same being the estate assessed as aforesaid, to wit: [Here describe the estate.] The said is the only person known to me as owner of the above described estate.

In witness whereof, I, the said , as Collector as aforesaid, hereunto set my hand and seal this day of , in the year nineteen hundred and .

C D, [SEAL.]

Collector of Taxes for the of .

No. 20. — FORM OF DEED BY CITY OR TOWN WHEN ESTATE IS REDEEMED UNDER SECTION 59, TO BE EXECUTED BY THE PROPER OFFICERS OF THE CITY OR TOWN. Forms.

KNOW ALL MEN BY THESE PRESENTS,

That the of , in consideration of , to it paid by of , the receipt whereof is hereby acknowledged, does hereby remise, release, and forever quitclaim unto the said all the right, title and interest which the said of acquired, by or under a deed made to it by , the Collector of Taxes for said [city or town] of , dated the day of in the year of our Lord one thousand nine hundred and , and recorded with Deeds, Volume , Page in and to the following parcel of real estate in said , viz.: [Here describe the estate.]

To have and to hold the above released premises, with all the privileges and appurtenances to the same belonging, to the said , h heirs and assigns, to h and their use and behoof forever.

In witness whereof, the said of has caused its corporate seal to be hereunto affixed, and these presents to be signed, acknowledged and delivered in its name and behalf by , its , hereto duly authorized, this day of , in the year of our Lord nineteen hundred and .

[City or Town] of . [SEAL.]

Signed and sealed in the presence of .

By .

ss. 19 .

Then personally appeared the above named , of for the [city or town] of , and acknowledged the foregoing instrument to be the free act and deed of said [city or town] of .

Before me,

Justice of the Peace.

No. 21. — FORM OF CERTIFICATE UNDER SECTION 62.

COLLECTOR'S OFFICE,

Whereas, I, Collector of Taxes for the of County of and Commonwealth of Massachusetts, for the year 19 , did sell and convey certain real estate to by deed dated 19 , and recorded in the Registry of Deeds, in Book Page for the non-payment of a tax assessed thereon to in the year 19 , which real estate is described as follows, viz.,

And Whereas of in the County of and State of was assessed , 19 , as owner of said property, and he alleges that at the time of said sale and deed

Forms.

he was the owner of said property, and further alleges that he is now the owner of said property, and as owner thereof desires to redeem the same from the sale in pursuance of Chapter 490, Sections 59–61, Part II, of the Acts of 1909.

And Whereas the said has this day paid to me the following sums to redeem said property from said sale, to wit:

Amount for which it was sold, ...	$
Interest at 8% from date of sale, ...	
Examination of Title, \	
Deed of Release, /	
Recording, ...	
Additional sum as per statute, ...	1 00
	$

Therefore, I, the said Collector of Taxes, for the said of hereby certify that I have received from the said the said sum of dollars and cents, ( ) for the purpose aforesaid.

Dated this day of A.D. 19 .

Collector of Taxes for the of .

No. 22. — FORM OF RECEIPT BY COLLECTOR TO A MORTGAGEE, UNDER SECTION 63.

COLLECTOR'S OFFICE, , 19 .

I, , Collector of Taxes for the of , hereby certify that the Assessors of Taxes of said of , in the list of assessments for taxes, which they committed to me to collect for the year one thousand nine hundred and , duly assessed the sum of dollars and cents, as owner of the real estate situated and described as follows, viz.: [Here describe the real estate.] and I further certify that the said neglected to pay such tax for three months after demand, and I thereupon made a demand therefor upon who claimed to be the holder of a mortgage upon said real estate; and that the said has paid to me the sum of dollars and cents, being the amount of said tax, with all interest, costs and charges, the receipt of which I hereby acknowledge.

C D,

Collector of Taxes for the of .

ss. , 19 .

Then personally appeared the above named and made oath that the foregoing statement by him subscribed is true.

Before me,

Justice of the Peace.

No. 23. — FORM OF RECEIPT BY COLLECTOR UNDER SECTIONS 64 AND 66. Forms.

COLLECTOR'S OFFICE, , 19

I, , Collector of Taxes for the of , hereby certify that the Assessors of Taxes of said of , in the list of assessments for taxes, which they committed to me to collect for the year one thousand nine hundred and , duly assessed the sum of dollars and cents, as owner of the real estate situated and described as follows, viz.: [Here describe the real estate.]

and I further certify that proceedings have been commenced by me for the sale of said real estate for said tax, and that who claimed to be the holder of a mortgage thereon, has paid to me the sum of dollars and cents, being the amount of said tax, with interest, costs and charges, the receipt of which I hereby acknowledge.

C D,

Collector of Taxes for the of .

ss. , 19 .

Then personally appeared the above named and made oath that the foregoing statement by him subscribed is true.

Before me,

Justice of the Peace.

No. 24. — FORM OF NOTICE OF SALE OF UNREDEEMED REAL ESTATE, IN BEHALF OF A CITY OR TOWN, WITHIN TWO YEARS AFTER EXPIRATION OF THE RIGHT OF REDEMPTION, UNDER SECTION 68.

SALE OF UNREDEEMED REAL ESTATE BY THE OF .

COLLECTOR'S OFFICE, , 19 .

In conformity with the laws of the Commonwealth of Massachusetts, the public and all persons interested as former owners or occupants of each of the following described parcels of real estate situated in the of in the County of and Commonwealth aforesaid, are hereby notified that said parcels have been conveyed according to law to said [city or town] of for non-payment of taxes and assessments and the time within which each of the estates might be redeemed by the owners thereof having expired, each of said parcels will be offered for sale in accordance with Section , of the by public auction at the in said on the day of A.D. 19 , at o'clock M., and to the highest bidder for each of the several parcels a quitclaim deed will be delivered. For further particulars reference is made to the Registry of Deeds for the County of , the volume and page numbers following the description of each parcel, indicating

Forms.

the record of the deed under which the said of now holds title to the estate described.

The sums set against the several estates show the amounts due thereon respectively for the taxes and assessments for the non-payment of which said estate was sold to [or taken by] the said together with the subsequent taxes and assessments, interest on the same, and all lawful costs and charges. And none of the said estates will be sold for less than the amount set against the said estates, respectively.

[Here set out the name of the original owner or occupant if known, a description of each parcel, the place of registry, volume and page, the years in which assessed and the least amount for which the sale will be made.]

C D,

Collector of Taxes for the of .

No. 25. — FORM OF DEED OF UNREDEEMED TAX TITLE UNDER SECTION 68.

KNOW ALL MEN BY THESE PRESENTS.

That, whereas the real estate hereinafter described was by deed of , Collector of Taxes, dated A.D. 19 , and recorded with Deeds, Volume , Page , duly conveyed to the [city or town] of , in the County of and Commonwealth of Massachusetts, for the non-payment of taxes, and whereas no person lawfully entitled has, within the time prescribed by law, redeemed said real estate, and whereas, I, the Collector of Taxes of the said [city or town] of , acting under section , of the , duly advertised said real estate to be sold by public auction on the day of , 19 , at o'clock in the noon, at the in said [city or town] of by publishing an advertisement thereof, containing a substantially accurate description of said real estate in the , a newspaper published in , three weeks successively, the last publication whereof was at least one week before the time appointed for the sale, and by posting a like advertisement in public and convenient place in said [city or town] of , to wit: the , in said [city or town] three weeks before the time appointed for said sale; and whereas, the amounts due on said estate not being paid, the [city or town] of by its Collector of Taxes, thereto duly authorized by statute, proceeded at the time and place appointed as aforesaid for the sale, to sell said real estate by public auction, and said real estate was then and there struck off to , of , in the County of , and State of , for the sum of dollars and cents, he being the highest bidder therefor;

Now, therefore, the [city or town] of by its Collector of Taxes, by virtue of the statutes in such case made and provided, in consideration of dollars and cents paid by said , the receipt whereof is hereby acknowledged, does

Forms.

hereby remise, release, and forever quitclaim unto the said , h heirs and assigns, all the right, title and interest which the said [city or town] of acquired, by or under the deed above mentioned, in and to the following parcel of real estate in said , viz.: [Here describe the estate.]

To have and to hold the above released premises, with all the privileges and appurtenances thereto belonging, to the said , h heirs and assigns, to h and their use and behoof forever.

In witness whereof, the said [city or town] of has caused its seal to be hereto affixed, and these presents to be signed, acknowledged and delivered in its name and behalf by its Collector of Taxes, hereto duly authorized by law, this day of , in the year nineteen hundred and .

[City or Town] of [SEAL.]

C D,
Collector of Taxes.

[To be acknowledged by the Collector as the free act and deed of the City or Town according to the form prescribed in Form No. 20.]

No. 26. — FORM OF AFFIDAVIT OF THE COLLECTOR OF THE NON-APPEARANCE OF A PURCHASER, OR THE FAILURE OF THE BIDDER TO PAY THE SUM BID, UNDER SECTION 69.

I, C D, Collector of Taxes for the [city or town] of in the County of and Commonwealth of Massachusetts on oath depose and say that the advertisement of the sale of unredeemed real estate, a copy of which is hereto annexed, was published and posted according to law, and that at the time and place of sale as stated in the same [no person appeared and bid for the real estate advertised in said advertisement against the name of the sum or amount therein stated, or more, or the person to whom the estate is sold does not, within ten days, pay to the Collector the sum bid by him] and the estate advertised as aforesaid against the name of was struck off to , for the sum of dollars and cents, he being the highest bidder therefor. I further depose and say that said failed to pay to me as such Collector, within ten days, the sum offered by him for said estate.

C D,
Collector of Taxes for the of .

ss. 19 .

Then personally appeared the above named , Collector of Taxes for the of , and made oath that the above statement by him subscribed is true.

Before me,
Justice of the Peace.

[Here annex a copy of the advertisement.]

Forms.

No. 27. — FORMS OF NOTICES WHEN TAX TITLE IS DEEMED INVALID, UNDER SECTIONS 71 AND 73.

[FROM THE ASSESSORS TO THE COLLECTOR.]

OFFICE OF THE BOARD OF ASSESSORS, 19 .

To the Collector of Taxes for the of .

Sir: You are hereby notified that the tax assessed as of the first day of April, 19 , in the name of upon an estate estimated to contain [here insert area] land, situated [here insert the name of street or other description] was invalid by reason of error in assessment; and that any deed given by you in consequence of a sale for the non-payment of such tax conveyed no valid title to the purchaser.

Board of Assessors of the of , by
A B,
One of said Assessors.

No. 28. —

[FROM THE COLLECTOR TO THE HOLDER OF THE TITLE.]

COLLECTOR'S OFFICE, , 19 .

To.....

You are hereby notified that I have reason to believe that the title conveyed to by Collector and recorded with Deeds, volume page of an estate described as follows [here describe estate], in the name of is invalid by reason of an error [in the assessment for the year 19 , or in the proceedings for the sale.] [Here give a brief statement of the defect:] and I do hereby, , notify and require you, within thirty days from the time when this notice shall be served upon you, to surrender and discharge the deed so given, and to receive from the of the sum due therefor, with interest as provided by law, or to file with the Collector a written statement that you refuse to make such surrender and discharge.

C D,
Collector of Taxes for the of

No. 29. — AFFIDAVIT OF WITNESSES TO ENTRY FOR POSSESSION UNDER SECTION 70.

We hereby certify that, on the day of in the year one thousand nine hundred and , at o'clock and minutes in the [forenoon or afternoon] we were present and saw Collector of Taxes for the [city or town] of make an open, peaceable, and unopposed entry upon the premises described by him in an affidavit signed by him and recorded in the Registry of Deeds in the County of Book No. page , for the purpose declared by him of taking possession of the said property for and in behalf of the said [city or town] of in accordance with the provisions of Section 70, Part II, of Chapter 490, Acts of 1909.

(Signed)
.....
.....

Commonwealth of Massachusetts. Forms.

ss. , 19 .

Then personally appeared the above named and and made oath that the foregoing statement subscribed by them is true.

Before me,

Justice of the Peace.

Section 2. This act shall take effect upon its passage.

Approved March 21, 1913.

An Act to provide that the obtaining of credit by false pretences shall constitute larceny. *Chap.* 312

Be it enacted, etc., as follows:

Whoever, with intent to defraud, by a false statement in writing respecting the financial condition, or means or ability to pay, of himself, or of any other person, firm or corporation, obtains credit from any bank or trust company or any banking institution accustomed to give credit in any form whatsoever shall be guilty of larceny. Persons obtaining credit by false pretences to be guilty of larceny.

Approved March 21, 1913.

An Act relative to the retirement of certain veterans in the service of the city of Boston. *Chap.* 313

Be it enacted, etc., as follows:

Section 1. Section one of chapter one hundred and thirteen of the acts of the year nineteen hundred and eleven is hereby amended by adding at the end thereof the words: — and *provided, further,* that in the case of janitors in the employ of the school committee of the city the rate of pension shall be based upon the net compensation of such employees as determined by the school committee, — so as to read as follows: — *Section 1.* A veteran of the civil war in the service of the city of Boston, if incapacitated for active duty, may be retired from active service, with the consent of the mayor, at one half the rate of compensation paid to him at the time of his retirement, to be paid out of the treasury of the city: *provided,* that no veteran shall be entitled to be retired under the provisions of this act unless he shall have been in the service of the city for at least ten years; and *provided, further,* that in the case of janitors in the employ of the school committee of the city the rate of pension shall 1911, 113, § 1, amended. Certain veterans may be retired, etc. Provisos.

be based upon the net compensation of such employees as determined by the school committee.

SECTION 2. This act shall take effect upon its passage.

Approved March 21, 1913.

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*Chap.*314 AN ACT TO AUTHORIZE THE CITY OF NEW BEDFORD TO SUPPLY WATER IN A PART OF THE TOWN OF FREETOWN.

Be it enacted, etc., as follows:

City of New Bedford may supply water to a part of the town of Freetown.

SECTION 1. The city of New Bedford may contract to lay and may lay conduits and other works in the town of Freetown under or along the highway leading northerly by Long pond from Morton's corner to the Lakeville line, and may supply water therefrom for domestic and other purposes by means of proper service pipes and other connections to the owners and occupiers of land on either side of the said highway; but no conduits or pipes shall be laid elsewhere in the said town, and all work done in the said town under authority hereof shall be under the direction of the selectmen of the town.

Payment of expense, etc.

SECTION 2. The installation of the said mains and connections shall be wholly at the expense of the persons sought to be supplied, and shall not be undertaken until a sufficient contract therefor, with proper surety or sureties, has been executed to the satisfaction of the New Bedford water board, which shall have full charge and control of the work hereby authorized.

Payment for use of water, etc.

SECTION 3. The takers and users of water delivered pursuant to the provisions hereof shall pay for the same upon the metered rates established in the city of New Bedford, and all rules and regulations made by the city of New Bedford, its water board or any other authority duly authorized with respect to the water and the use thereof shall be binding upon the said takers and users.

SECTION 4. This act shall take effect upon its passage.

Approved March 21, 1913.

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*Chap.*315 AN ACT TO AUTHORIZE THE CITY OF WORCESTER TO INCUR INDEBTEDNESS FOR THE PURPOSE OF SUPPLYING ITS INHABITANTS WITH WATER.

Be it enacted, etc., as follows:

Worcester Water Loan, Act of 1913.

SECTION 1. For the purpose of increasing its water supply, the city of Worcester is hereby authorized to borrow, from

time to time, such sums of money as it may deem necessary, to an amount not exceeding two hundred thousand dollars, and to issue therefor notes or bonds. Such notes or bonds shall be denominated on the face thereof, Worcester Water Loan, Act of 1913; shall be payable by such annual payments, beginning not more than one year after the respective dates thereof, as will extinguish each loan within twenty years from its date; and the amount of such annual payment of any loan in any year shall not be less than the amount of the principal of said loan payable in any subsequent year. Each authorized issue of bonds or notes shall constitute a separate loan. Said bonds or notes shall bear interest at a rate not exceeding four and one half per cent per annum, payable semi-annually; shall be signed by the treasurer of the city and countersigned by the mayor. The city may sell said bonds or notes at public or private sale, upon such terms and conditions as it may deem proper, but they shall not be sold for less than their par value. The proceeds of any such sale shall be used only for the purposes herein specified.

Payment of loan.

Section 2. The said city shall, at the time of authorizing the said loan or loans, provide for the payment thereof in accordance with section one of this act; and when a vote to that effect has been passed, a sum which, with the income derived from water rates, will be sufficient to pay the annual expense of operating its water works and the interest as it accrues on the bonds or notes issued as aforesaid by the city, and to make such payments on the principal as may be required under the provisions of this act, shall without further vote be assessed by the assessors of the city annually thereafter, in the same manner in which other taxes are assessed, until the debt incurred by said loan or loans is extinguished.

Section 3. This act shall take effect upon its passage.

Approved March 21, 1913.

An Act to aid free public libraries in the small towns. *Chap.* 316

Be it enacted, etc., as follows:

1906, 183, amended.

Section 1. Chapter one hundred and eighty-three of the acts of the year nineteen hundred and six is hereby amended by striking out the word "two", in the second line, and inserting in place thereof the word: — four, — so as to read

Aid to free public libraries.

as follows: — The board of free public library commissioners may annually expend a sum not exceeding four thousand dollars in aid of free public libraries, especially in those towns the valuation of which does not exceed six hundred thousand dollars. Such aid may include the furnishing of books in small quantities, visits to libraries, the instruction of librarians, and such other means of encouraging and stimulating the small libraries as said commissioners shall deem advisable: *provided,* that a full detail of expenditures under this act shall be printed in the annual report of the commissioners.

Proviso.

SECTION 2. This act shall take effect upon its passage.

Approved March 21, 1913.

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*Chap.*317 AN ACT RELATIVE TO THE EXPENSES OF THE BOARD OF GAS AND ELECTRIC LIGHT COMMISSIONERS.

Be it enacted, etc., as follows:

Gas and electric light commissioners, expenses, etc.

SECTION 1. The board of gas and electric light commissioners may expend annually for necessary statistics, books, stationery and contingent expenses, and for clerical assistance, such sum as the general court shall annually appropriate.

Inspectors, etc.

SECTION 2. The board may expend annually for the compensation of the inspector of gas and gas meters, assistant inspectors, deputy inspectors of meters, and for office rent, travelling and other necessary expenses incidental to the duties of said inspectors, such sum as the general court shall annually appropriate.

Repeal.

SECTION 3. Chapter fifty-four of the acts of the year nineteen hundred and seven, chapter five hundred and thirty-six of the acts of the year nineteen hundred and eight and section eight of chapter four hundred and eighty-three of the acts of the year nineteen hundred and nine are hereby repealed.

SECTION 4. This act shall take effect upon its passage.

Approved March 21, 1913.

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*Chap.*318 AN ACT RELATIVE TO DAYS OFF FOR MEMBERS OF THE FIRE DEPARTMENTS OF THE CITIES OF LOWELL, TAUNTON AND NORTHAMPTON.

Be it enacted, etc., as follows:

Members of fire department to be

SECTION 1. Members of the fire department of any city which accepts the provisions of this act, as hereinafter pro-

vided, shall be excused from duty for one day out of every five days, without loss of pay. The time and the manner of so excusing them shall be determined by the chief, or other officer or board at the head of the fire department. excused from duty at certain times.

SECTION 2. The chief, or other officer, or board at the head of the fire department shall have authority, in case of any public emergency, to prevent any member of the department from taking the day off herein provided for at the time when he is entitled thereto, or at the time assigned therefor: *provided*, that such day off shall be granted to him as soon thereafter as may be practicable; and such days shall be in addition to any annual vacation now or hereafter allowed to the members of the said department, and such annual vacation shall not be diminished on account of the days off herein provided for. Taking of day off may be prevented in certain case. Proviso.

SECTION 3. This act shall be submitted to the voters of the cities of Lowell, Taunton and Northampton at the state election in the current year, and shall take effect in any of the said cities upon its acceptance by a majority of the voters voting thereon. *Approved March 21, 1913.* Act to be submitted to voters for acceptance.

AN ACT TO PROVIDE FOR THE ENCOURAGEMENT OF AGRICULTURE AMONG CHILDREN AND YOUTHS. *Chap.* 319

Be it enacted, etc., as follows:

SECTION 1. A sum not exceeding one thousand dollars may annually be expended by the state board of agriculture in premiums or otherwise, as the board shall determine, as rewards to children and youths under eighteen years of age for the purpose of stimulating interest and activity in agriculture. The board shall report annually to the legislature the names of the recipients of premiums or other rewards given hereunder, and the amount or value given to each. Premiums, etc., for encouragement of agriculture, etc.

SECTION 2. This act shall take effect upon its passage. *Approved March 21, 1913.*

AN ACT TO CONFIRM CERTAIN ACTS OF THE TOWN OF FALMOUTH IN RESPECT TO EEL POND CHANNEL AND TO AUTHORIZE THE TOWN TO TAKE LAND AND ISSUE NOTES OR BONDS. *Chap.* 320

Be it enacted, etc., as follows:

SECTION 1. The action taken and the votes passed by the town of Falmouth at its annual town meeting on the Certain acts of the town of Falmouth confirmed, etc.

nineteenth and twentieth days of February in the current year appropriating the sum of twenty-two thousand dollars, said sum, or so much thereof as may be necessary, to be used for building a steel drawbridge with a clearance of not less than thirty-one feet and six inches over Eel Pond channel in the village of Woods Hole, and for acquiring by purchase or taking such lands or rights in land as may be required in connection with the straightening, widening and making slopes for said channel, for use as town landings, and to protect adjoining walls, are hereby ratified and confirmed, and the town of Falmouth is hereby authorized to appropriate for this purpose twenty-five hundred dollars from the taxes of the current year, and to issue its negotiable notes or bonds, in accordance with said votes, and for the purposes therein specified, to an amount not to exceed nineteen thousand five hundred dollars, bearing interest at a rate not exceeding five per cent per annum, payable semi-annually, in sums not exceeding twenty-five hundred dollars each year, and in accordance with the provisions of chapter three hundred and fifty of the acts of the year nineteen hundred and eleven.

May issue notes, etc.

SECTION 2. The selectmen of the town of Falmouth are hereby authorized to acquire by purchase or taking such lands or rights in land as may be necessary for carrying out the work authorized by said votes, and to use land of the town for that purpose. The said taking shall be made and damages assessed in the manner provided by law for the laying out of town ways, so far as the same is applicable.

May acquire lands, etc.

SECTION 3. This act shall be subject to the provisions of chapter ninety-six of the Revised Laws and the amendments thereof, and the work authorized by said votes shall be done in accordance with plans approved by the county commissioners of the county of Barnstable.

Certain provisions of law to apply.

SECTION 4. This act shall take effect upon its passage.

Approved March 21, 1913.

Chap. 321 AN ACT RELATIVE TO RETURNS OF PUBLIC PROPERTY BY OFFICERS OF THE MILITIA.

Be it enacted, etc., as follows:

SECTION 1. Section one hundred and ten of chapter six hundred and four of the acts of the year nineteen hundred and eight, which relates to returns of public property to be made by officers of the militia, is hereby repealed.

Repeal.

SECTION 2. This act shall take effect upon its passage.

Approved March 21, 1913.

An Act relative to the sewerage system in the town of Lexington. *Chap.* 322

Be it enacted, etc., as follows:

Sewer assessments in the town of Lexington.

Section 1. The owners of lands benefited and abutting on streets or ways, public or private, in which sewers shall be constructed in the town of Lexington under the provisions of chapter five hundred and four of the acts of the year eighteen hundred and ninety-seven, as amended by chapter three hundred and fifty-nine of the acts of the year nineteen hundred and six, and by chapter two hundred and one of the acts of the year nineteen hundred and eleven, shall pay to the town as a tax in return for the special benefits received by such abutting lands an assessment or charge of fifty cents a running front foot, to be assessed by the commissioners in the manner and with the effect herein and in sections six, seven, eight, nine and ten of said chapter three hundred and fifty-nine provided. In cases of corner lots the commissioners shall exempt from assessment so much of the frontage upon one of the streets or ways concerned as they shall consider just and equitable. In the case of each abutting estate the tax shall be considered as assessed upon the specified lot to the extent of its whole depth, if the same nowhere extends back from the side line of the street or way more than one hundred feet, otherwise upon so much of the lot as lies between such side line and a line drawn parallel with and one hundred feet distant therefrom; and only the land upon which the tax is so assessed shall be subject to the lien arising therefrom. No land shall be taxed or assessed hereunder more than once. No drain or sewer from an estate or a part of an estate not already assessed or not at the time liable to assessment, as herein provided, shall be entered into a common sewer except upon the payment of such an assessment or charge, and upon such other terms and conditions, as the commissioners shall determine.

Town of Lexington Sewer Loan, Act of 1913.

Section 2. Said town, for meeting necessary expenses and liabilities incurred or to be incurred under the provisions of said chapter five hundred and four as amended, may issue from time to time bonds or notes to an amount not exceeding the amounts heretofore authorized by law to be issued by said town for sewerage purposes. Bonds or notes issued under authority of this act shall bear on their face the words, Town of Lexington Sewer Loan, Act of 1913; shall be payable by such annual payments, beginning not more than one

year after the respective dates thereof, as will extinguish each loan within thirty years from the date thereof; but the amount of such annual payment of any loan in any year shall not be less than the amount of the principal of said loan payable in any subsequent year. Each authorized issue of bonds or notes shall constitute a separate loan. Said bonds or notes shall bear interest at a rate not exceeding four and one half per cent per annum, payable semi-annually, and shall be signed by the treasurer of the town and countersigned by the water and sewer commissioners. The town may sell such bonds or notes at public or private sale, upon such terms and conditions as it may deem proper, but they shall not be sold for less than their par value.

Payment of loan.

Section 3. Said town shall at the time of authorizing said loan or loans provide for the payment thereof in accordance with section two of this act; and when a vote to that effect has been passed, a sum which with the income derived from assessments, rates, or charges in lieu thereof, will be sufficient to pay the annual expense of operating its sewerage system and the interest as it accrues on the bonds or notes issued as aforesaid by the town, and to make such payments on the principal as may be required under the provisions of this act, shall, without further vote, be assessed by the assessors of the town annually thereafter, in the same manner in which other taxes are assessed, until the debt incurred by said loan or loans is extinguished.

Establishment of estimated average cost.

Section 4. In the application of sections thirty-one to thirty-four, inclusive, of chapter forty-nine of the Revised Laws to said town, and generally in the matter of connecting estates with sewers, the commissioners may, so far as that part of the connection which lies between the property line and the entrance to the sewer is concerned, establish and alter from time to time as to each street or way a scale of estimated average costs, the calculations to be made as if the public sewer concerned were laid in the centre of the street or way, to the end that owners may have or suffer no advantage or disadvantage by reason of the fact that the sewer may be on one side or the other of the centre; and the amount to be paid by or assessed to an abutting owner shall, as regards said part of a connection, be determined by such estimated average cost and not by the actual amount thereof.

Terms defined.

Section 5. The terms "sewer commissioners" and "commissioners" found in said chapters three hundred and fifty-

nine, two hundred and one and herein shall be construed as meaning the consolidated board of water and sewer commissioners in said town established by chapter two hundred and seventy-seven of the acts of the year nineteen hundred and nine.

Section 6. Section ten of chapter five hundred and four of the acts of the year eighteen hundred and ninety-seven, sections two, three, four and five of chapter three hundred and fifty-nine of the acts of the year nineteen hundred and six, and section two of chapter two hundred and one of the acts of the year nineteen hundred and eleven are hereby repealed. Repeal.

Section 7. This act shall take effect upon its acceptance by vote of a majority of the voters of the town of Lexington present and voting thereon at a legal meeting called for the purpose. *Approved March 21, 1913.* Time of taking effect.

An Act relative to soldiers' relief for veterans of the Spanish and Philippine wars. *Chap.* 323

Be it enacted, etc., as follows:

Section 1. The provisions of section eighteen of chapter seventy-nine of the Revised Laws providing soldiers' relief for veterans of the civil war and persons dependent upon them shall apply also to those, including army nurses, who served in the army or navy or marine corps of the United States during the war with Spain or during the Philippine insurrection between April twenty-first in the year eighteen hundred and ninety-eight and July fourth in the year nineteen hundred and two, and to persons dependent upon them. Soldiers' relief for veterans of the Spanish and Philippine wars, etc.

Section 2. This act shall take effect upon its passage. *Approved March 21, 1913.*

An Act to extend the time for giving notice to owners of real estate in cases of injury by snow or ice. *Chap.* 324

Be it enacted, etc., as follows:

Section 1. Chapter three hundred and five of the acts of the year nineteen hundred and eight is hereby amended by adding at the end thereof the following: — *provided, however,* that notice within thirty days after the injury shall be sufficient; and if by reason of physical or mental incapacity it is impossible for the injured person to give the notice within thirty days after the injury, he may give it within 1908, 305, amended.

thirty days after such incapacity has been removed, and in case of his death without having been for thirty days at any time after his injury of sufficient capacity to give the notice, his executor or administrator may give the notice within thirty days after his appointment. No notice shall be held to be invalid by reason of any inaccuracy or misstatement of the owner's name if it appears that the same was made in good faith and did not prevent or unreasonably delay the owner from receiving actual notice of the injury and of the claim that it occurred from a defective condition of his premises, — so as to read as follows: — The provisions of sections twenty, twenty-one and twenty-two of chapter fifty-one of the Revised Laws, in so far as they relate to notices of injuries resulting from snow or ice, shall apply to actions against persons or corporations founded upon the defective condition of the premises of such persons or corporations, or of an adjoining way, whenever such defective condition is caused by, or consists in part of, snow or ice. Leaving the notice with the occupant of said premises, or, in case there is no occupant, posting the same in a conspicuous place thereon, shall be a sufficient compliance with the foregoing provisions: *provided, however,* that notice within thirty days after the injury shall be sufficient; and if by reason of physical or mental incapacity it is impossible for the injured person to give the notice within thirty days after the injury, he may give it within thirty days after such incapacity has been removed, and in case of his death without having been for thirty days at any time after his injury of sufficient capacity to give the notice, his executor or administrator may give the notice within thirty days after his appointment. No notice shall be held to be invalid by reason of any inaccuracy or misstatement of the owner's name if it appears that the same was made in good faith and did not prevent or unreasonably delay the owner from receiving actual notice of the injury and of the claim that it occurred from a defective condition of his premises.

Notices to owners of real estate in cases of injury caused by snow or ice.

Proviso.

SECTION 2. This act shall take effect upon its passage.

Approved March 21, 1913.

Chap. 325 AN ACT TO AUTHORIZE THE TOWN OF FAIRHAVEN TO REFUND CERTAIN INDEBTEDNESS.

Be it enacted, etc., as follows:

Town of Fairhaven may refund certain indebtedness.

SECTION 1. The town of Fairhaven is hereby authorized to incur indebtedness to an amount not exceeding twenty-

two thousand dollars for the purpose of refunding certain outstanding indebtedness of the town due and maturing as follows: — Four thousand dollars during the year nineteen hundred and thirteen; six thousand five hundred dollars during the year nineteen hundred and fourteen; four thousand dollars during the year nineteen hundred and fifteen; four thousand five hundred dollars during the year nineteen hundred and sixteen; and three thousand dollars during the year nineteen hundred and seventeen.

Fairhaven Refunding Loan, Act of 1913.

Section 2. The town treasurer, with the approval of the selectmen and without further vote of the town, may, from time to time, as the said loans mature, issue notes of the town to pay the same. Notes so issued under authority of this act shall bear on their face the words, Fairhaven Refunding Loan, Act of 1913; shall be payable by such annual payments, beginning not more than one year after the respective dates thereof, as will extinguish each note within ten years after the date thereof; and the amount of such annual payment of any loan in any year shall not be less than the amount of the principal payable in any subsequent year. The amount authorized to be refunded each year shall constitute a separate loan. Notes issued under authority of this act shall bear interest at a rate not exceeding five per cent per annum, payable semi-annually, and the amount required to pay the interest on said notes and the amount of the principal thereof as the notes become due shall be raised by taxation, and shall be included by the assessors in the tax levy without further appropriation therefor by the town.

Section 3. This act shall take effect upon its passage.

Approved March 21, 1913.

An Act to authorize the city of Worcester to take certain lands near Washington square and to sell part of the same. *Chap. 326*

Be it enacted, etc., as follows:

City of Worcester may take certain land for highway purposes, etc.

For the purpose of laying out, widening, and relocating Washington square and the other streets adjacent and near thereto, the city of Worcester is hereby authorized to take in fee the land bounded by Washington square, Summer street, Mechanic street, Foster street, Front street and the way called Hibernia street, together with so much of the said streets as may be a part of the properties so bounded; and the city may appropriate so much of said land and property for highway and street purposes as is needed therefor, in

the judgment of the city, and the city may sell the remainder not so appropriated, for value, with or without suitable restrictions, as it may deem fit.

Approved March 21, 1913.

Chap. 327 AN ACT TO PROVIDE FOR A MUNICIPAL DEVELOPMENT COMMISSION FOR THE CITY OF FITCHBURG.

Be it enacted, etc., as follows:

Municipal Development Commission, appointment, term, etc.

SECTION 1. The mayor of the city of Fitchburg shall forthwith appoint, subject to confirmation by the board of aldermen, five residents of the city to constitute a Municipal Development Commission, and vacancies in the commission shall be filled in like manner. One of the appointees shall be designated by the mayor as chairman. Each commissioner shall hold office for the term of five years but may be removed at any time by the mayor for cause and a successor may be appointed in his place, subject to confirmation by the board of aldermen. The commissioners shall serve without compensation and shall organize as soon after appointment as possible. The mayor shall serve ex officio as a member of the commission but without the right to vote. Unless it shall otherwise be provided hereafter, the commission hereby established shall exist for the term of five years only.

Departments.

SECTION 2. The commission shall divide its work into the following departments: (1) Taxation and revenue, in which department it shall be the duty of the commission to make a study of the question of municipal revenues and the taxation of real property with a view to securing a more uniform assessment of such property in the city. It shall report its conclusions from time to time to the board of assessors. (2) City plan and topography, in which department it shall be the duty of the commission to make such topographical survey and such plan or plans for the development of the city as in the opinion of the commission may be best adapted to the city's future needs. (3) Highways and traffic, in which department it shall be the duty of the commission to report to the city government such recommendations of any kind with reference to the highways and the regulation of traffic therein as the commission may deem best. It may recommend to the city council the adoption of building lines upon various streets. Every measure affecting any way, street, public park or square, and every purchase, or agreement for purchase, of land for the site of

any public building shall, before its passage or adoption by the city council, be submitted to the commission for such recommendation thereon as it may deem necessary. (4) Housing, in which department it shall be the duty of the commission to investigate and publish reports upon the matter of housing. (5) Architectural, in which department it shall be the duty of the commission to examine the plans for the exterior of any public building and for the development and treatment of the grounds about the same, and, before the adoption thereof, to report any recommendations thereon which it may deem necessary. (6) Educational, in which department it shall be the duty of the commission to provide for such public lectures and instruction as it may from time to time deem necessary.

Powers and duties.

Section 3. The general powers and duties of the commission shall be as follows: It shall from time to time issue bulletins regarding its work or containing reports of its investigations, which bulletins shall be uniform in size and makeup; it may from time to time make any recommendation to the city council or to any other city department upon any matter within the scope of section two; it may hold hearings, either public or private; it may require the attendance of any city official or agent to give information as to his department, and it may organize unpaid volunteer committees of citizens to consider and report upon any matters of public interest.

Expenses, etc.

Section 4. The city council shall provide the commission with a suitable office, and shall pay the actual expenses of the commission to an amount not exceeding one thousand dollars in any year, unless a special appropriation in excess of that amount shall be made. The city council may appropriate whatever sum it may deem necessary for the work. With such sums as are appropriated by the city council the commission may employ such assistants, experts, engineers and architects as it may deem necessary, and may pay the actual travelling expenses of the commissioners when they travel in the performance of their duties.

Annual report, etc.

Section 5. The commission shall make an annual report to the city council of its work, and shall at all times give such information to the city council and the citizens as may be required of it.

Section 6. This act shall take effect upon its passage.

Approved March 21, 1913.

Chap. 328 AN ACT TO AUTHORIZE COUNTIES TO ESTABLISH AND MAINTAIN OR TO PROVIDE BACTERIOLOGICAL FACILITIES.

Be it enacted, etc., as follows:

Establishment of bacteriological laboratories by counties, etc.

SECTION 1. For the better preservation of the public health and for the purpose of securing greater accuracy in the diagnosis of communicable diseases, county commissioners are hereby authorized to establish and maintain bacteriological laboratories, or to provide such laboratory facilities for their respective counties, from time to time, as may be deemed advantageous by them, and for this purpose may expend such sums as may be necessary from the treasury of the county.

To be approved, etc., by state board of health.

SECTION 2. No expenditures shall be made under the provisions of this act until the laboratories or the laboratory facilities established or provided in accordance herewith have been inspected and approved by the state board of health.

SECTION 3. This act shall take effect upon its passage.

Approved March 21, 1913.

Chap. 329 AN ACT TO PROVIDE FOR THE PRINTING OF THE ANNUAL REPORT OF THE DEPARTMENT OF ANIMAL INDUSTRY.

Be it enacted, etc., as follows:

1912, 608, § 4, amended.

SECTION 1. Section four of chapter six hundred and eight of the acts of the year nineteen hundred and twelve is hereby amended by adding at the end thereof the words: — and fifteen hundred copies of the report shall be printed, of which number six hundred copies may be suitably bound for the use of the commissioner of animal industry, — so as to read as follows: — *Section 4.* The commissioner of animal industry shall have the powers and perform the duties heretofore conferred and imposed upon the board of cattle commissioners and the chief of the cattle bureau, and shall have supervision of the matter of contagious diseases among domestic animals in the city of Boston; but no orders or regulations made by him under authority of sections four and seven of chapter ninety of the Revised Laws, or of section seven of the said chapter, as amended by section one of chapter two hundred and ninety-seven of the acts of the year nineteen hundred and eleven, shall take effect until approved by the governor and council. The commissioner shall make

Powers and duties.

Annual report.

a written report on or before the tenth day of January of each year to the general court, and fifteen hundred copies of the report shall be printed, of which number six hundred copies may be suitably bound for the use of the commissioner of animal industry.

Section 2. This act shall take effect upon its passage.

Approved March 21, 1913.

An Act to facilitate the gathering of information relative to the wages of women and minors. *Chap.* 330

Be it enacted, etc., as follows:

Section 1. Section eleven of chapter seven hundred and six of the acts of the year nineteen hundred and twelve is hereby amended by striking out the first two sentences and inserting in place thereof the following: — Every employer of women and minors shall keep a register of the names, addresses and occupations of all women and minors employed by him and shall, on request of the commission or of the director of the bureau of statistics, permit the commission or any of its members or agents, or the director of the bureau of statistics or any duly accredited agent of said bureau, to inspect the said register and to examine such parts of the books and records of employers as relate to the wages paid to women and minors. The commission shall also have power to subpœna witnesses, administer oaths and take testimony, — so as to read as follows: — *Section 11.* Every employer of women and minors shall keep a register of the names, addresses and occupations of all women and minors employed by him and shall, on request of the commission or of the director of the bureau of statistics, permit the commission or any of its members or agents, or the director of the bureau of statistics or any duly accredited agent of said bureau, to inspect the said register and to examine such parts of the books and records of employers as relate to the wages paid to women and minors. The commission shall also have power to subpœna witnesses, administer oaths and take testimony. Such witnesses shall be summoned in the same manner and be paid from the treasury of the commonwealth the same fees as witnesses before the superior court. 1912, 706, § 11, amended. Employers to keep register of women and minor employees, etc. Summoning of witnesses, etc.

Section 2. This act shall take effect upon its passage.

Approved March 21, 1913.

*Chap.*331 AN ACT MAKING AN APPROPRIATION FOR BAND CONCERTS IN PARKS AND ON OTHER LANDS UNDER THE CONTROL OF THE METROPOLITAN PARK COMMISSION.

Be it enacted, etc., as follows:

Appropriation, band concerts in certain parks, etc.

SECTION 1. A sum not exceeding twenty-five thousand dollars is hereby appropriated, to be expended during the present fiscal year out of the Metropolitan Parks Maintenance Fund, to enable the metropolitan park commission to provide band concerts in such parks and parkways or on such other lands under its control as it may select and at such times as it may deem expedient.

SECTION 2. This act shall take effect upon its passage.

Approved March 21, 1913.

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*Chap.*332 AN ACT TO PROVIDE FOR AN ASSISTANT CLERK FOR THE DISTRICT COURT OF WESTERN HAMPDEN.

Be it enacted, etc., as follows:

Assistant clerk of district court of western Hampden.

Salary.

SECTION 1. There shall be an assistant clerk of the district court of western Hampden.

SECTION 2. The salary of said assistant clerk shall be three hundred dollars per annum, to be paid out of the treasury of the county of Hampden.

SECTION 3. This act shall take effect upon its passage.

Approved March 21, 1913.

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*Chap.*333 AN ACT RELATIVE TO RECORDS OF INJURIES TO EMPLOYEES IN FACTORIES.

Be it enacted, etc., as follows:

Certain records of injuries to employees to be open to public inspection.

SECTION 1. All records and reports made by the district police in respect to injuries to employees in factories, workshops and mercantile establishments shall be open to inspection by the public at all reasonable times.

SECTION 2. This act shall take effect upon its passage.

Approved March 21, 1913.

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*Chap.*334 AN ACT RELATIVE TO INSURANCE AGAINST DAMAGE CAUSED BY TEAMS OR VEHICLES.

Be it enacted, etc., as follows:

1907, 576, § 32, etc., amended.

SECTION 1. Clause Fifth of section thirty-two of chapter five hundred and seventy-six of the acts of the year nineteen hundred and seven, as amended by chapter two hundred and

forty-eight of the acts of the year nineteen hundred and eight, is hereby further amended by striking out the said clause and inserting in place thereof the following: — Fifth, To insure any person against bodily injury or death by accident, or any person, firm or corporation against loss or damage on account of the bodily injury or death by accident of any person, or against damage caused by teams, automobiles or other vehicles, except rolling stock of railways, to the property of another, for which loss or damage such person, firm or corporation is responsible, and to make insurance upon the health of individuals.

Insurance against injury or damage by accident, etc.

Section 2. This act shall take effect upon its passage.

Approved March 21, 1913.

An Act relative to the medical examiner districts in the county of Norfolk. *Chap.* 335

Be it enacted, etc., as follows:

Section 1. Section two of chapter twenty-four of the Revised Laws is hereby amended by striking out the word "nine", in the eighty-eighth line, and inserting in place thereof the word: — eight, — by striking out the words "towns of Hyde Park and Milton", in the ninety-first line, and inserting in place thereof the words: — town of Cohasset, — by striking out the words "town of Randolph", in the ninety-second line, and inserting in place thereof the words: — towns of Milton and Randolph, — by inserting before the words "district eight", in the ninety-seventh line, the word: — and, — and by striking out all after the word "Brookline", in the ninety-seventh line, so that the paragraph comprising lines eighty-eight to ninety-eight, inclusive, of said section will read as follows: — In the county of Norfolk, one in each of the eight following districts: district one, composed of the towns of Dedham, Needham, Wellesley, Westwood, Norwood and Dover; district two, of the town of Cohasset; district three, of the city of Quincy and the towns of Milton and Randolph; district four, of the towns of Weymouth, Braintree and Holbrook; district five, of the towns of Avon, Stoughton, Canton, Walpole and Sharon; district six, of the towns of Franklin, Foxborough and Wrentham; district seven, of the towns of Medway, Medfield, Millis, Norfolk and Bellingham; and district eight, of the town of Brookline.

R. L. 24, § 2, amended.

Medical examiner districts, Norfolk county.

Section 2. This act shall take effect upon its passage.

Approved March 21, 1913.

Chap. 336 AN ACT RELATIVE TO THE DEPARTMENT OF THE TREASURER AND RECEIVER GENERAL.

Be it enacted, etc., as follows:

Deputy treasurer and receiver general, appointment, etc.

SECTION 1. The treasurer and receiver general, with the consent of the governor and council, shall appoint a deputy treasurer and receiver general who shall perform such duties as may be assigned to him by the treasurer and receiver general. If by reason of sickness, absence or other cause the treasurer and receiver general is unable to perform the duties of his office, the deputy treasurer and receiver general shall perform the same until such disability ceases. The salary of the deputy treasurer and receiver general shall be fixed by the treasurer and receiver general, with the approval of the governor and council, and he may be removed from office for cause at any time by the treasurer and receiver general with the consent of the governor and council.

Additional employees, salaries, etc.

SECTION 2. The treasurer and receiver general may employ in his department an accountant at a salary of twenty-five hundred dollars a year; a bond clerk at a salary of eighteen hundred dollars a year; a receiving teller and a paying teller, each at a salary of two thousand dollars a year; an assistant receiving teller and paying teller, each at a salary of fifteen hundred dollars a year; and a cashier at a salary of twenty-five hundred dollars a year, to be so allowed from the first day of January, nineteen hundred and thirteen.

Certain positions abolished.

SECTION 3. The positions of chief clerk at a salary of twenty-six hundred dollars a year, second clerk or bookkeeper at a salary of twenty-one hundred dollars a year, third or interest clerk at a salary of eighteen hundred dollars a year, legacy tax clerk at a salary of nineteen hundred dollars a year, and bank messenger at a salary of fifteen hundred dollars a year are hereby abolished.

Repeal.

SECTION 4. All acts and parts of acts inconsistent herewith are hereby repealed.

SECTION 5. This act shall take effect upon its passage.

Approved March 21, 1913.

An Act to provide for an independent agricultural school within the city of Boston. *Chap.* 337

Be it enacted, etc., as follows:

Independent agricultural school may be established in Boston.

Section 1. The school committee of the city of Boston may establish and maintain an independent agricultural school, as defined by chapter four hundred and seventy-one of the acts of the year nineteen hundred and eleven, and under the authority of and subject to the provisions of said act and acts in amendment thereof and in addition thereto.

Land may be taken, etc.

Section 2. For the purpose of carrying out the provisions of this act, the board of schoolhouse commissioners of the city of Boston may cause to be taken for the city, in the same manner in which land is taken for schoolhouses, land in that city not exceeding fifty acres, approved by the school committee of the city, and shall build and furnish such buildings as are approved by the school committee: *provided*, that land having a building thereon may be purchased at such price as the school committee, the schoolhouse commissioners and the mayor may determine.

Proviso.

Repeal.

Section 3. All acts and parts of acts inconsistent herewith are hereby repealed.

Section 4. This act shall take effect upon its passage.

Approved March 21, 1913.

An Act to authorize the town of Rockland to construct and maintain a system of sewerage and sewage disposal. *Chap.* 338

Be it enacted, etc., as follows:

Town of Rockland may maintain, etc., a system of sewage disposal.

Section 1. The town of Rockland is hereby authorized to lay out, construct, maintain and operate a system or systems of main drains and common sewers for a part or the whole of its territory, with such connections and other works as may be required for a system of sewerage and sewage disposal; and, for the purpose of providing better surface or other drainage, guarding against pollution of waters, and otherwise protecting the public health, may lay, make and maintain such main drains as it deems best. For the purposes aforesaid the town may, within its limits, deepen, widen and clear of obstruction any brook, stream or water course, may straighten or alter the channels or divert the waters thereof and may lay, make and maintain subdrains,

and, with the approval of the state board of health, discharge the water into any brook, stream or water course within the town.

Sewer commissioners, election, terms, etc.

SECTION 2. The town shall elect a board of three commissioners, to be called sewer commissioners, who shall be citizens and residents of the town, and shall be elected by ballot at a special meeting or at an annual meeting of the town, one commissioner to hold office for one year, one for two years and one for three years, respectively, from the date of the annual town meeting at which he is elected or which follows the special meeting at which he is elected, and until his successor is chosen and qualified; and at each annual town meeting thereafter the town shall elect one member of the board to serve for three years or until his successor is elected and qualified. If a vacancy occurs in the board the town may at a meeting called for the purpose elect a person, qualified as aforesaid, to fill the vacancy.

May take lands, water rights, etc.

SECTION 3. The said board of sewer commissioners, acting in behalf of the town, shall have power to take, or acquire by purchase or otherwise, any lands in fee and any water rights, rights of way and easements in said town, public or private, necessary for any of the purposes mentioned in this act, and may construct within the town such main drains and sewers under or over any water course, bridge, aqueduct, conduit, railroad, railway or way, or within the location of any railroad or railway, and may enter upon and dig up and excavate any private land, street or way, or railroad or railway location, for the purpose of laying such main drains and sewers, and maintaining and repairing the same, and, under the direction of the selectmen of the town, may enter upon and dig up any public ways in said town in such manner as to cause the least hindrance to public travel thereon, and may do any other thing necessary or proper for the purposes of this act: *provided, however,* that said board shall not take in fee any land of a railroad corporation, and that they shall not enter upon or construct any drains or sewers within the location of any railroad corporation, except at such time and in such manner as they may agree upon with such corporation, or, in case of failure to agree, as may be approved by the board of railroad commissioners.

Proviso.

Taking of land, etc., to be recorded.

SECTION 4. Said board of sewer commissioners in order to take any lands in fee, water rights, rights of way or easements, shall cause to be recorded in the registry of deeds for the county of Plymouth a statement signed by a majority of the board, containing a description thereof as certain as

is required in a conveyance of land and specifying that the same are taken under authority of this act; and upon such recording the title to the land, water rights, rights of way or easements described in such statement shall vest in the town of Rockland, which shall pay all damages therefor and all other damages sustained by any person or corporation through any action of said board under this act. Said board at the time of such taking shall notify the owners thereof in writing, and may agree with any person or corporation injured hereunder upon the damages sustained by such person or corporation; and if the damages are not agreed upon a jury in the superior court for said county may be had to determine the same, upon petition of either party, in the manner provided by law for determining the damages for land taken for the laying out of highways, but in the case of a taking no suit or petition shall be brought after the expiration of two years from the date of the recording of the taking as herein provided; and in all other cases no suit or petition shall be brought after the expiration of two years from the time when the cause of action accrues.

Damages.

Section 5. In every case of a petition for the assessment of damages, or for a jury, the town may at any time file in the office of the clerk of the court an offer in writing to pay the petitioner a sum therein specified as damages; and if the petitioner does not accept the same within thirty days after notice of such offer, and does not finally recover a sum greater than that offered, not including interest from the date of the offer on the sum so recovered, the town shall recover costs from the date of such notice, and the petitioner shall be entitled to costs only to such date.

Town may offer specified sum as damages, etc.

Section 6. The town of Rockland shall by vote determine what proportion of the cost of said system or systems of sewerage and sewage disposal the town shall pay: *provided*, that it shall pay not less than one third nor more than one half of the whole cost. In providing for the payment of the remaining portion of the cost of said system or systems the town may avail itself of any or all of the methods permitted by general laws, and at the same meeting at which it determines the proportion of the cost which is to be borne by the town, it may by its vote determine by which of the methods permitted by general laws the remaining portion of said cost shall be provided for. In case it determines that such remaining portion of said cost is to be provided for, wholly or in part, by assessments upon the owners of estates

Apportionment of cost.

Proviso.

Assessments upon owners of real estate, etc.

situated within the territory embraced by said system or systems and benefited thereby, then the owners of such estates shall be assessed by said board of sewer commissioners their proportional parts, respectively, of such portion of said cost as said town shall have determined is to be provided for by assessment, but no estate shall be deemed to be benefited until a sewer is constructed into which it can be drained. For the purpose of fixing the amounts of such assessments the said board shall determine the value of the special benefit to each of said estates, respectively, from the said system or systems of sewers, taking into account all the circumstances of the case; and the proportionate part to be paid by the owners of said estates, respectively, shall be based upon the amount of the special benefit to each estate, determined as aforesaid; and every such owner shall, within three months after written notice of such assessment, served on him or on the occupant of his estate, or sent by mail to the last address of such owner known to the board of sewer commissioners, pay the sum so assessed to the collector of taxes of said town: *provided*, that said board shall, on the written request of any such owner made within the said three months, apportion such assessment into ten equal parts or assessments; and the board shall certify such apportionment to the assessors of the town, and one of said parts or instalments, with interest from the date of the apportionment at six per cent per annum, shall be added by the assessors to the annual tax on such estate for each year next ensuing, until all the said parts have so been added, unless sooner paid as hereinafter provided; and *provided, further*, that nothing herein contained shall be construed to prevent the payment at any time in one payment, notwithstanding its prior apportionment, of any balance of said assessments then remaining unpaid, but interest on such balance at the rate of six per cent per annum shall be paid to the date of such payment, and thereupon the collector of taxes of said town shall receive the same and shall certify such payment or payments to the assessors, who shall preserve a record thereof. In case of corner lots abutting on more than one sewered street the same area shall not be assessed more than once.

Provisos.

Assessment, to constitute a lien, etc.

SECTION 7. An assessment made under the provisions of section six of this act shall constitute a lien upon the estate, which shall continue for three years after it is made and notice served as above provided, or in case of apportion-

ment, until the expiration of two years from the time when the last instalment is committed to the collector of taxes; and said assessment, if not paid within three months after service of said notice, or, if apportioned, within three months after any part has become due, may, together with interest thereon at the rate of six per cent per annum, with incidental costs and expenses, be levied by the collector by sale of the estate, or so much thereof as shall be sufficient to discharge the assessment and interest and intervening charges. The sale and all proceedings connected therewith shall be conducted in the same manner as sales for the non-payment of taxes; and real estate so sold may be redeemed in the same manner as if sold for the non-payment of taxes. Such assessments or parts thereof may also be collected by an action of contract in the name of the town of Rockland against the owner of the estate, brought at any time within three years after the same have become due.

Persons aggrieved may apply for a jury, etc.

Section 8. Any person aggrieved by any such assessment may, at any time within three months after service of the notice mentioned in section six of this act, apply to the superior court of said county for a jury to revise the same, but before making such application he shall give fourteen days' notice in writing of his intention so to do to the board of sewer commissioners, and shall therein particularly specify his objection to the assessment, to which specification he shall be confined before the jury.

Rockland Sewerage Loan, Act of 1913.

Section 9. The town of Rockland, for the purpose of paying the necessary expenses and liabilities incurred under this act, may incur indebtedness to an amount not exceeding two hundred thousand dollars, and may issue from time to time therefor bonds or notes; and the debt and loan authorized by this act and the bonds or notes issued therefor shall not be reckoned in determining the statutory limit of indebtedness of the town. Such bonds or notes shall bear on their face the words, Rockland Sewerage Loan, Act of 1913, shall be payable within periods not exceeding thirty years from the respective dates of issue, shall bear interest, payable semi-annually, at a rate not exceeding four per cent per annum, and shall be signed by the treasurer of the town and countersigned by a majority of the selectmen. The town may from time to time sell such securities, or any part thereof, at public or private sale, but they shall not be sold for less than their par value. The proceeds shall be retained in the treasury, and the treasurer shall, upon the order of the

board of sewer commissioners, pay therefrom the expenses incurred for the purposes aforesaid.

Payment of loan.

SECTION 10. The town shall at the time of authorizing the said loan provide for the payment thereof in such annual payments, beginning not more than one year after the date thereof, as will extinguish the same within the time prescribed by this act; and the amount of such annual payment of any loan in any year shall not be less than the amount of the principal of said loan payable in any subsequent year. When a vote to the foregoing effect has been passed the amount required thereby, less the amount that may be appropriated therefor as provided in the following section, shall without further vote be assessed by the assessors of the town in each year thereafter, in the same manner in which other taxes are assessed, until the debt incurred by the town is extinguished.

Application of receipts from sewer assessments, etc.

SECTION 11. The receipts from sewer assessments and from payments made in lieu thereof shall be applied by said board to the payment of charges and expenses incident to the maintenance and operation of said system of sewerage, or to the extension thereof, except that the town may apply any part of such receipts to the payment of the interest upon bonds or notes issued under authority of this act and not otherwise provided for, or to the payment or redemption of such bonds or notes, as the town shall by vote determine, and the said receipts shall be used for no other purpose. If such receipts shall not in any year be sufficient for the purposes aforesaid the town shall raise forthwith by taxation, in the same manner in which money is raised and appropriated for other town purposes, the balance required therefor.

Clerk and superintendent, appointment, etc.

SECTION 12. Said board of sewer commissioners shall annually appoint a clerk and may appoint a superintendent of sewers, and may remove said clerk or superintendent at its pleasure. The compensation of said board shall be fixed by the town.

Contracts.

SECTION 13. All contracts made by said board shall be made in the name of the town and shall be signed by said board, but no contract shall be made or obligation incurred by said board for any purpose calling for an expenditure in excess of the amount of money appropriated by the town therefor.

Rules and regulations, etc.

SECTION 14. Said board may from time to time prescribe rules and regulations for the connecting of estates and buildings with main drains and sewers, and for the

inspection of the materials, the construction, alteration and use of all connections and drains entering into such main drains or sewers, and may impose penalties not exceeding twenty dollars for every violation of any such rule or regulation. Such rules and regulations shall be published not less than once a week for three successive weeks in some newspaper published in the town of Rockland, if there be any, and if not then in some newspaper published in the county of Plymouth, and shall not take effect until such publication has been made.

Plans to be approved by state board of health, etc.

Section 15. No act shall be done under authority of the preceding sections until plans for said system of sewerage have been approved by the state board of health. Upon application to the state board of health for such approval, the board shall give a hearing, after due notice to the public. At such hearing plans, showing in detail all the work to be done in constructing said system of sewerage, shall be submitted to the board.

Time of taking effect, etc.

Section 16. This act shall take effect upon its passage; but no expenditure shall be made and no liability incurred hereunder until this act has been accepted by vote of a majority of the voters voting thereon at a legal meeting called for the purpose. The town may elect said board of sewer commissioners, as provided in section two, at the same meeting at which it accepts this act.

Approved March 25, 1913.

An Act to provide for clerical assistance for the clerk of the second district court of eastern Middlesex. *Chap.* 339

Be it enacted, etc., as follows:

1906, 195, § 1, etc., amended.

Section 1. Section one of chapter one hundred and ninety-five of the acts of the year nineteen hundred and six, as amended by chapter three hundred and forty-eight of the acts of the year nineteen hundred and eight, is hereby further amended by striking out the said section and inserting in place thereof the following: — *Section 1.* The clerk of the second district court of eastern Middlesex may annually expend a sum not exceeding five hundred dollars for clerical assistance in his office, which shall be paid by the county treasurer upon a bill approved by the court.

Clerical assistance to clerk of second district court of eastern Middlesex.

Section 2. This act shall take effect upon its passage.

Approved March 25, 1913.

*Chap.*340 AN ACT TO CHANGE THE DEFINITION OF THE TERM "SUPPORT OF THE PUBLIC SCHOOLS."

Be it enacted, etc., as follows:

R. L. 41, § 6, amended.

SECTION 1. Section six of chapter forty-one of the Revised Laws is hereby amended by inserting after the word "incidentals", in the thirteenth line, the words: — but excluding alterations of school buildings other than repairs and construction of schoolhouses, — so as to read as follows: — *Section 6.* No such apportionment and distribution shall be made to a town which has not maintained a school as required by section one of chapter forty-two; or which, if containing the number of families or householders required by section two of said chapter, has not maintained, for at least thirty-six weeks during the year, exclusive of vacations, a high school such as is mentioned therein; or which has not made the returns required by sections five and six of chapter forty-three, and complied with the laws relative to truancy; or which has not raised by taxation for the support of public schools which are authorized or required by law, including the wages of teachers, the transportation of school children, fuel, the care of fires, school rooms and school premises, supervision, text books and supplies, and school sundries or incidentals, but excluding alterations of school buildings other than repairs and construction of schoolhouses during the school year embraced in the last annual returns, an amount not less than three dollars for each person between the ages of five and fifteen years resident in such town on the first day of September of said school year.

Apportionment of income of school fund to be withheld from certain towns.

SECTION 2. This act shall take effect upon its passage.

Approved March 25, 1913.

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*Chap.*341 AN ACT RELATIVE TO THE APPORTIONMENT OF THE COST OF CONSTRUCTION, RECONSTRUCTION, REPAIR AND MAINTENANCE OF CERTAIN BRIDGES BETWEEN THE CITIES OF BOSTON AND CHELSEA.

Be it enacted, etc., as follows:

Apportionment of cost of construction, etc., of certain

SECTION 1. The board of three commissioners heretofore appointed by the supreme judicial court to apportion the cost of construction, reconstruction, repair and maintenance

of certain bridges named in chapter five hundred and eighty-one of the acts of the year nineteen hundred and eleven is hereby authorized to apportion the percentage of the cost of the work done and to be done, and also to apportion and assess the percentage of the cost of maintenance and repairs provided in said act to be apportioned and assessed, and may report its apportionment to the supreme judicial court notwithstanding that certain items of such cost may remain unascertained and unpaid at the time of filing the report. The report, when accepted by said court, shall be a final adjudication of all matters referred to the commissioners, and shall be binding on all the parties.

bridges between Boston and Chelsea.

Commissioners' report to be final adjudication, etc.

SECTION 2. The said commissioners shall receive such sums for their services and for their necessary expenses, including stenographers' charges for making reports of hearings, as may be allowed by the governor and council; and the amounts so allowed shall be added to and made a part of the cost to be apportioned under the provisions of said chapter five hundred and eighty-one.

Compensation and expenses of commissioners.

SECTION 3. This act shall take effect upon its passage.

Approved March 25, 1913.

AN ACT MAKING AN APPROPRIATION FOR EXPENSES OF CERTAIN LITIGATION BETWEEN THE COMMONWEALTH AND THE HAVERHILL GAS LIGHT COMPANY. *Chap.* 342

Be it enacted, etc., as follows:

SECTION 1. The sum of fifteen thousand dollars is hereby appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, for expenses in connection with litigation pending between the commonwealth of Massachusetts and the Haverhill Gas Light Company, the same to be expended under the direction of the attorney-general.

Appropriation, expense of certain litigation.

SECTION 2. This act shall take effect upon its passage.

Approved March 25, 1913.

AN ACT RELATIVE TO MUTUAL FIRE INSURANCE COMPANIES. *Chap.* 343

Be it enacted, etc., as follows:

SECTION 1. Chapter five hundred and seventy-six of the acts of the year nineteen hundred and seven is hereby amended by striking out section fifty and inserting in place

1907, 576, § 50, amended.

Assessment for losses, etc.

thereof the following: — *Section 50.* If a mutual fire insurance company is not possessed of cash funds above its unearned premiums sufficient for the payment of incurred losses and expenses, it shall make an assessment for the amount needed to pay such losses and expenses upon its members liable to assessment therefor, in proportion to their several liabilities.

Records, etc.

The company shall cause to be recorded in a book kept for that purpose the order for such assessment, with a statement which shall set forth the condition of the company at the date of the order, the amount of its cash assets and of its deposit notes or other contingent funds liable to the assessment, the amount which the assessment calls for, and the particular losses or other liabilities which it is to provide for. The said record shall be made and signed by the directors who voted for the order, before any part of the assessment is collected, and any person liable to the assessment may inspect and take a copy of the same.

Proceedings in certain cases.

If by reason of any depreciation or loss of its funds or otherwise the cash assets of such a company, after providing for its other debts, are less than the unearned premiums upon its policies, it shall make good the deficiency by assessment in the mode above provided; or the directors may, instead of such assessment, make two assessments, the first determining what each policy holder must equitably pay or receive in case of his withdrawal from the company and the cancellation of his policy, the second determining what further amount each must pay in order to continue the policy for its unexpired term, and being for such proportion of the unearned premium as the directors may fix by vote, but in no event to exceed the amount of such unearned premium.

Payments of policy holders, etc.

Each policy holder shall pay or receive according to the first assessment, and his policy shall then be cancelled unless he pays the further amount determined by the second assessment, in which case his policy shall continue in force for its unexpired term; but in neither case shall a policy holder receive or have credited to him more than he would have received on having his policy cancelled by the company in accordance with the terms of the policy.

Company to cease to issue policies in certain case.

If within two months after such alternative assessments have become collectible the amount of the policies whose holders have settled for both assessments is less than one million dollars, the company shall cease to issue policies;

and all policies whose holders have not settled for both assessments shall be void, and the company shall continue only for the purpose of adjusting the deficiency or excess of premiums among the members and settling outstanding claims.

Each policy holder shall be liable to pay his proportional part of any assessments which may be laid by the company in accordance with law and his contract, on account of losses and expenses incurred while he was a member, if he is notified of such assessment within one year after the expiration or cancellation of his policy; and when an assessment is ordered, the directors shall forthwith cause written notice and demand for payment to be made upon each person subject thereto, by mail or personal service. Liability of policy holder, etc.

Section 2. This act shall take effect upon its passage.

Approved March 25, 1913.

An Act relative to lamplighters lighting the lamps in the streets, alleys, public grounds and parks of the city of Boston. *Chap.* 344

Be it enacted, etc., as follows:

Section 1. Any person who was engaged in the occupation of lamplighter lighting the gas lamps in the streets, alleys, public grounds and parks of the city of Boston, on the first day of January in the year nineteen hundred and thirteen, and who has lost or shall within two years from said first day of January lose his position by reason of a change in the street lighting methods employed by the city, may in the discretion of the mayor of said city be appointed to a position as laborer or skilled laborer in the labor service of any department of the city for which such lamplighter is qualified and fitted by previous training and experience, or subject to the approval of said mayor by the head of any such department of said city without being subject as to his appointment to civil service rules, and without undergoing a civil service examination, and thereupon he shall be registered upon the list in the class to which he has been appointed and shall be subject to civil service laws and rules. Lamplighters in city of Boston may be appointed to certain other positions, etc.

Section 2. This act shall take effect upon its acceptance by the city council and its approval by the mayor of the city of Boston. Time of taking effect.

Approved March 26, 1913.

*Chap.*345 AN ACT TO ESTABLISH THE LUTHER'S CORNERS WATER SUPPLY DISTRICT IN THE TOWN OF SEEKONK.

Be it enacted, etc., as follows:

Luther's Corners Water Supply District established.

SECTION 1. The inhabitants of the town of Seekonk liable to taxation in that town and residing within the following boundary lines, to wit: — Beginning at the state line at a point five hundred feet northerly from Taunton Pike, thence running easterly parallel with said Taunton Pike and five hundred feet distant northerly therefrom, to a point five hundred feet distant northeasterly from Pleasant street; thence turning and running southeasterly parallel with said Pleasant street and five hundred feet distant northeasterly therefrom, to a point five hundred feet distant southeasterly from Arcade avenue, thence turning and running southwesterly parallel with said Arcade avenue, and five hundred feet distant southeasterly therefrom to a point five hundred feet northeasterly from a bridle road near the junction of said Arcade avenue and Fall River avenue; thence turning and running southeasterly parallel with said bridle road and five hundred feet distant northeasterly therefrom to County street; thence southerly to an angle in Cole street, near the residence of Thomas Norton; thence southerly more southwesterly to Cady's corner, thence turning and running westerly to the state line at Rulins river, thence northerly along said Rulins river and said state line to the point of beginning, — shall constitute a water supply district, and are hereby made a body corporate by the name of the Luther's Corners Water Supply District, for the purpose of supplying themselves with water for the extinguishment of fires and for domestic and other purposes, with power to establish fountains and hydrants and to relocate and discontinue the same, to regulate the use of such water and to fix and collect rates to be paid therefor, and to take or acquire by lease, purchase or otherwise, and to hold property, lands, rights of way and other easements for the purposes mentioned in this act, and to prosecute and defend all actions relating to the property and affairs of the district.

May take water sources, etc.

SECTION 2. Said water supply district, for the purposes aforesaid, may contract with any other town or city water department or any water company or may take, or acquire by purchase or otherwise, and hold, the waters of any pond

or stream or of any ground sources of supply by means of driven, artesian or other wells within the town of Seekonk, and the water rights connected with any such water sources. Said district may also take, or acquire by purchase or otherwise, and hold, all lands, rights of way and other easements necessary for collecting, storing, holding, purifying and preserving the purity of the water and for conveying the same to any part of said district: *provided, however,* that no source of water supply and no lands necessary for preserving the quality of the water, shall be taken or used without first obtaining the advice and approval of the state board of health, and that the situation of all dams, reservoirs and wells to be used as sources of water supply under this act shall be subject to the approval of said board. Said district may construct on the lands acquired and held under the provisions of this act proper dams, reservoirs, standpipes, tanks, buildings, fixtures and other structures, and may make excavations, procure and operate machinery, and provide such other means and appliances, and do such other things as may be necessary for the establishment and maintenance of complete and effective water works; and for that purpose may construct wells and reservoirs and establish pumping works, and may construct, lay and maintain aqueducts, conduits, pipes and other works under or over any land, water courses, railroads, railways and public or other ways, and along such ways in Seekonk, in such manner as not unnecessarily to obstruct the same; and for the purpose of constructing, laying, maintaining, operating and repairing such conduits, pipes and other works, and for all proper purposes of this act, said district may dig up or raise and embank any such lands, highways or other ways in such manner as to cause the least hindrance to public travel on such ways in Seekonk; and all things done upon any such way shall be subject to the direction of the selectmen of the town of Seekonk.

Proviso.

May erect structures, lay pipes, etc.

Section 3. Said water supply district shall, within ninety days after the taking of any lands, water rights, water sources, rights of way, or other easements under the provisions of this act, file and cause to be recorded in the registry of deeds for the county or district in which the same are situated a description thereof sufficiently accurate for identification, with a statement of the purpose for which the same were taken, signed by the water commissioners

Taking of land, etc., to be recorded, etc.

hereinafter provided for. The title to all land taken, purchased or acquired in any way under the provisions of this act shall vest in said Luther's Corners Water Supply District, and the land so acquired may be managed, improved and controlled by the board of water commissioners hereinafter provided for, in such manner as they shall deem for the best interest of said district.

Damages.

SECTION 4. Said district shall pay all damages to property sustained by any person or corporation by the taking of any land, water, water source, water right, right of way or other easement, or by anything done by said district under authority of this act. Any person or corporation sustaining damages as aforesaid, and failing to agree with the district as to the amount thereof, may have the same determined in the manner provided by law in the case of land taken for the laying out of highways, on application at any time within two years after the taking of such land or other property or the doing of other injury under authority of this act; but no such application shall be made after the expiration of said two years; and no application for assessment of damages shall be made for the taking of any water, water right, or for any injury thereto, until the water is actually withdrawn or diverted by the district under authority of this act. Said district may by vote, from time to time, determine what amount or quantity of water it proposes to take and appropriate under this act; in which case any damages caused by such taking shall be based upon such amount or quantity until the same shall be increased by vote or otherwise, and in that event said district shall be liable further only for the additional damage caused by such additional taking.

The Luther's Corners Water Supply District of Seekonk Water Loan, Act of 1913.

SECTION 5. Said district, for the purpose of paying the necessary expenses and liabilities incurred under the provisions of this act, may issue from time to time bonds or notes to an amount not exceeding fifteen thousand dollars. Bonds or notes issued under authority of this act shall bear on their face the words, The Luther's Corners Water Supply District of Seekonk Water Loan, Act of 1913; shall be payable by such annual payments, beginning not more than one year after the respective dates thereof, as will extinguish each loan within thirty years from the date thereof; and the amount of such annual payment of any loan in any year shall not be less than the amount of the principal of said loan payable

in any subsequent year. Each authorized issue of bonds or notes shall constitute a separate loan. Said bonds or notes shall bear interest at a rate not exceeding four and one half per cent per annum, payable semi-annually; shall be signed by the treasurer of the district and countersigned by a majority of the water commissioners. The district may sell such bonds or notes at public or private sale, upon such terms and conditions as it may deem proper, but they shall not be sold for less than their par value. The town of Seekonk may, at an annual town meeting or at a legal meeting called for the purpose, guarantee the payment of such bonds or notes.

Payment of loan.

Section 6. Said district shall at the time of authorizing said loan or loans provide for the payment thereof in accordance with section five of this act; and when a vote to that effect has been passed, a sum which, with the income derived from water rates, will be sufficient to pay the annual expense of operating its water works and the interest as it accrues on the bonds or notes issued as aforesaid by the district, and to make such payments on the principal as may be required under the provisions of this act, shall without further vote be assessed by the assessors of the town annually thereafter, in the same manner in which other taxes are assessed, until the debt incurred by said loan or loans is extinguished.

Assessment of tax.

Section 7. Whenever a tax is duly voted by said district for the purposes of this act, the clerk shall send a certified copy of the vote to the assessors of the town of Seekonk, who shall proceed within thirty days thereafter to assess the same in the same manner in which town taxes are required by law to be assessed. The assessment shall be committed to the town collector, who shall collect said tax in the manner provided by law for the collection of town taxes, and shall deposit the proceeds thereof with the district treasurer for the use and benefit of said district. Said district may collect interest on overdue taxes in the manner in which interest is authorized to be collected on town taxes: *provided*, that the district at the time of voting to raise the tax shall so determine, and shall also fix a time for payment thereof.

Proviso.

First meeting.

Section 8. The first meeting of said district shall be called on petition of ten or more legal voters therein, by a warrant from the selectmen of the town of Seekonk, or from a justice of the peace, directed to one of the petitioners, requiring him to give notice of the meeting by posting copies of the warrant in two or more public places in the district

seven days at least before the time of the meeting. The said justice of the peace, or one of the selectmen, shall preside at the meeting until a clerk is chosen and sworn, and the clerk shall preside until a moderator is chosen. After the choice of a moderator for the meeting the question of the acceptance of this act shall be submitted to the voters, and if it is accepted by a majority of the voters present and voting thereon it shall take effect, and the meeting may then proceed to act on the other articles contained in the warrant. The said first meeting shall not be valid unless held within two years after the passage of this act, and this act shall become void unless the said district shall begin to distribute water to consumers within two years after the date of the acceptance of the act as aforesaid.

Water commissioners, election, term, etc.

SECTION 9. The Luther's Corners Water Supply District shall, after the acceptance of this act as aforesaid, elect by ballot three persons to hold office, one until the expiration of three years, one until the expiration of two years, and one until the expiration of one year from the next succeeding annual district meeting, to constitute a board of water commissioners; and at every annual meeting thereafter one such commissioner shall be elected by ballot for the term of three years. All the authority granted to said district by this act, and not otherwise specifically provided for, shall be vested in said board of water commissioners, who shall be subject, however, to such instructions, rules and regulations as the district may by vote impose. Said commissioners shall appoint a treasurer of said district, who may be one of their number, who shall give bonds to the district in such an amount and with such sureties as may be approved by the commissioners. A majority of the commissioners shall constitute a quorum for the transaction of business. Any vacancy occurring in said board from any cause may be filled for the remainder of the unexpired term by said water supply district at any legal meeting called for the purpose. No money shall be drawn from the district treasury on account of the water works except upon a written order of said commissioners or a majority of them.

Quorum.

Vacancy.

Water rates, etc.

SECTION 10. Said commissioners shall fix just and equitable prices and rates for the use of water, and shall prescribe the time and manner of payment. The income of the water works shall be applied to defraying all operating expenses, interest charges and payments on the principal as

they accrue upon any bonds or notes issued under authority of this act. If there should be a net surplus remaining after providing for the aforesaid charges, it may be used for such new construction as the water commissioners may determine upon, and in case a surplus should remain after payment for such new construction the water rates shall be reduced proportionately. No money shall be expended in new construction by the water commissioners except from the net surplus aforesaid, unless the district appropriates and provides money therefor. Said commissioners shall annually, and as often as the district may require, render a report upon the condition of the works under their charge, and an account of their doings, including an account of receipts and expenditures.

By-laws, etc.

Section 11. Said district may adopt by-laws prescribing by whom and how meetings may be called, notified and conducted; and, upon the application of ten or more legal voters in the district meetings may also be called by warrant as provided in section eight. Said district may also establish rules and regulations for the management of its water works, not inconsistent with this act or with the laws of the commonwealth, and may choose such other officers not provided for in this act as it may deem necessary or proper.

Penalty for pollution, etc., of water, etc.

Section 12. Whoever wilfully or wantonly corrupts, pollutes or diverts any water obtained or supplied under this act, or wilfully or wantonly injures any reservoir, standpipe, aqueduct, pipe or other property owned or used by said district for the purposes of this act, shall forfeit and pay to the district three times the amount of damages assessed therefor, to be recovered in an action of tort, and upon conviction of any of the above acts shall be punished by a fine not exceeding one hundred dollars or by imprisonment in jail for a term not exceeding six months.

Certain property may be included within the district upon petition, etc.

Section 13. Upon a petition in writing addressed to the water commissioners by any owner of real estate in Seekonk abutting on the district described in section one, or as subsequently enlarged under the provisions of this section, setting forth that the petitioner desires to have certain accurately described parts of his real estate included in the district, the water commissioners shall cause a duly warned meeting of the district to be called, at which meeting a majority of the voters present and voting may vote to include

within the district said petitioner's real estate as described in his petition. If it be so voted the clerk of the district shall within ten days file with the town clerk of Seekonk an attested copy of said petition and vote, describing precisely the real estate added to the district; and thereupon said petitioner's real estate as described in his petition shall become a part of said district and shall be holden under the provisions of this act in the same manner and to the same extent as the real estate described in section one.

Approved March 26, 1913.

Chap. 346 AN ACT RELATIVE TO THE REINSTATEMENT OF PHYSICIANS BY THE BOARD OF REGISTRATION IN MEDICINE.

Be it enacted, etc., as follows:

R. L. 76, § 3, amended.

SECTION 1. Section three of chapter seventy-six of the Revised Laws is hereby amended by inserting after the word "profession", in the nineteenth line, the following: — The board may subsequently, but not earlier than one year thereafter, by a unanimous vote, reissue any certificate formerly issued by it or issue a new certificate, and register anew any physician whose certificate was revoked and whose registration was cancelled by the board, — so as to read as follows: — *Section 3.* Applications for registration shall be made upon blanks to be furnished by the board, and shall be signed and sworn to by the applicants. Each applicant for registration shall furnish satisfactory proof that he is twenty-one years of age or over and of good moral character and, upon payment of a fee of twenty dollars, shall be examined by said board. If he is found by four or more members thereof to be twenty-one years of age or over, of good moral character and qualified, he shall be registered as a qualified physician and shall receive a certificate thereof signed by the chairman and secretary. An applicant who fails to pass an examination satisfactory to the board, and is therefore refused registration, shall be entitled within one year after such refusal to a re-examination at a meeting of the board called for the examination of applicants, without the payment of an additional fee; but two such re-examinations shall exhaust his privilege under his original application. Said board, after hearing, may by unanimous vote revoke any certificate issued by it and cancel the registration of any physician who has been convicted of a felony or of any crime

Examination and registration.

Certificate may be revoked, etc.

in the practice of his profession. The board may subsequently, but not earlier than one year thereafter, by a unanimous vote, reissue any certificate formerly issued by it or issue a new certificate, and register anew any physician whose certificate was revoked and whose registration was cancelled by the board. All fees received by the board shall, once in each month, be paid by its secretary into the treasury of the commonwealth.

Section 2. This act shall take effect upon its passage.

Approved March 26, 1913.

An Act relative to prosecutions under the act regulating the business of making small loans. *Chap.* 347

Be it enacted, etc., as follows:

Section 1. Section three of chapter seven hundred and twenty-seven of the acts of the year nineteen hundred and eleven, as amended by section two of chapter six hundred and seventy-five of the acts of the year nineteen hundred and twelve is hereby further amended by adding at the end thereof the following: — In prosecutions under this act, the amount to be paid upon any loan of three hundred dollars or less for interest or expenses shall include all sums paid or to be paid by or on behalf of the borrower for interest, brokerage, recording fees, commissions, services, extension of loan, forbearance to enforce payment, and all other sums charged against or paid or to be paid by the borrower for making or securing directly or indirectly the loan, and shall include all such sums when paid by or on behalf of or charged against the borrower for or on account of making or securing the loan, directly or indirectly, to or by any person, partnership, corporation or association other than the lender, if such payment or charge was known to the lender at the time of making the loan, or might have been ascertained by reasonable inquiry. Any person, partnership, corporation or association directly or indirectly engaging in the business of negotiating, arranging, aiding or assisting the borrower or lender in procuring or making loans of three hundred dollars or less for which the amount paid or to be paid for interest and expenses, including all amounts paid or to be paid to any other party therefor, exceeds in the aggregate an amount equivalent to twelve per cent per annum, whether such loans are actually made by such person, partnership, corporation

1911, 727, § 3, etc., amended.

or association, or by another party or parties, shall be deemed to be engaged in the business of making small loans and shall be subject to the provisions of this act, — so as to read as follows: — *Section 3.* No person, partnership, corporation, or association within the commonwealth, shall directly or indirectly engage in the business of making loans of three hundred dollars or less, if the amount to be paid on any such loan, for interest and expenses, exceeds in the aggregate an amount equivalent to twelve per cent per annum upon the sum loaned, without first obtaining from the supervisor of loan agencies a license to carry on the said business in the city or town in which the business is to be transacted. When an application for a loan, or for an endorsement or guarantee, or for the purchase of a note is made by any person within this commonwealth, and the money is advanced, or the endorsement or guarantee is made or furnished by any person, partnership, corporation, or association situated without the commonwealth, the transaction shall be deemed a loan made within the commonwealth, and such a loan and the parties making it shall be subject to the provisions of this act. The buying or endorsing of notes, or the furnishing of guarantee or security for compensation shall be considered to be engaging in the business of making small loans within the provisions of this act. In prosecutions under this act, the amount to be paid upon any loan of three hundred dollars or less for interest or expenses shall include all sums paid or to be paid by or on behalf of the borrower for interest, brokerage, recording fees, commissions, services, extension of loan, forbearance to enforce payment, and all other sums charged against or paid or to be paid by the borrower for making or securing directly or indirectly the loan, and shall include all such sums when paid by or on behalf of or charged against the borrower for or on account of making or securing the loan, directly or indirectly, to or by any person, partnership, corporation or association other than the lender, if such payment or charge was known to the lender at the time of making the loan, or might have been ascertained by reasonable inquiry. Any person, partnership, corporation or association directly or indirectly engaging in the business of negotiating, arranging, aiding or assisting the borrower or lender in procuring or making loans of three hundred dollars or less for which the amount paid or to be paid for interest and expenses, including all amounts paid or to be paid to any other party

Persons engaged in the business of making small loans to be licensed, etc.

therefor exceeds in the aggregate an amount equivalent to twelve per cent per annum, whether such loans are actually made by such person, partnership, corporation or association, or by another party or parties, shall be deemed to be engaged in the business of making small loans and shall be subject to the provisions of this act.

1911, 727, § 17, etc., amended.

Section 2. Section seventeen of said chapter seven hundred and twenty-seven as amended by section five of said chapter six hundred and seventy-five is hereby further amended by adding at the end thereof the following: — In prosecutions under this act the fact that the defendant has made or assisted in the making of two or more loans of three hundred dollars or less upon which there has directly or indirectly been paid or charged for interest, brokerage, recording fees, commissions, services, extension of loan, forbearance to enforce payment or other expenses, a sum which exceeds in the aggregate an amount equivalent to twelve per cent per annum upon the amount actually received by the borrower, whether such sum has been paid to or charged by the defendant or paid to or charged by any other person, partnership, corporation or association shall be prima facie evidence that the defendant has engaged in and carried on the business of making loans to which the provisions of this act apply, — so as to read as follows: —

Penalty for acting without a license, etc.

Section 17. Whoever not being duly licensed as provided in this act, on his own account or on account of any other person, partnership, corporation or association not so licensed, engages in or carries on, directly or indirectly, either separately or in connection with or as a part of any other business, the business of making loans or buying notes or furnishing endorsements or guarantees, to which the provisions of this act apply, shall be punished by a fine of not more than five hundred dollars, or by imprisonment for not more than sixty days, or by both such fine and imprisonment. And any loan made or note purchased, or endorsement or guarantee furnished by an unlicensed person, partnership, corporation or association in violation of this act shall be void. In prosecutions under this act the fact that the defendant has made or assisted in the making of two or more loans of three hundred dollars or less upon which there has directly or indirectly been paid or charged for interest, brokerage, recording fees, commissions, services, extension of loan, forbearance to enforce payment or other expenses, a sum which exceeds in the

aggregate an amount equivalent to twelve per cent per annum upon the amount actually received by the borrower, whether such sum has been paid to or charged by the defendant or paid to or charged by any other person, partnership, corporation or association shall be prima facie evidence that the defendant has engaged in and carried on the business of making loans to which the provisions of this act apply.

Approved March 26, 1913.

Chap. 348 AN ACT TO AUTHORIZE THE COUNTY OF SUFFOLK TO PAY A SUM OF MONEY TO THE WIDOW OF THOMAS FALLON.

Be it enacted, etc., as follows:

County of Suffolk may pay a sum of money to Elizabeth Fallon.

SECTION 1. The city council of the city of Boston, acting as county commissioners of the county of Suffolk, is hereby authorized to pay to Elizabeth Fallon, widow of Thomas Fallon late of Boston, an officer in the Suffolk county jail, a sum not exceeding eight hundred dollars on account of injuries received by the said Fallon in the performance of his duty and which injuries resulted in his death.

SECTION 2. This act shall take effect upon its passage.

Approved March 26, 1913.

Chap. 349 AN ACT RELATIVE TO PETITIONS FOR THE PARDON OF PERSONS SERVING SENTENCES FOR MURDER OR FELONY.

Be it enacted, etc., as follows:

Attorney-general and district attorney to be notified of petition for pardon in certain cases, etc.

SECTION 1. In all cases of petitions for pardons referred to the executive council by the governor, where the petitioner is serving a sentence in the state prison for murder or for a felony, the executive secretary shall notify the attorney-general, and also the district attorney who prosecuted the case, and they or their representatives may be present at the hearing on the petition by the pardon committee of the executive council, and may examine the petitioner's witnesses, and may present to the pardon committee full information as to the case of the commonwealth against the petitioner on which he stands convicted of the crime for which he is serving sentence.

SECTION 2. This act shall take effect upon its passage.

Approved March 26, 1913.

An Act making appropriations for salaries and expenses in the department of the commissioner of weights and measures. *Chap.*350

Be it enacted, etc., as follows:

Section 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, for the salaries and expenses of the commissioner of weights and measures, for the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen, to wit: — Appropriations, commissioner of weights and measures.

For the salary of the commissioner, two thousand dollars. Commissioner.

For the salaries of inspectors, eighty-seven hundred and fifty-one dollars. Inspectors.

For clerical services, travel and contingent office expenses, a sum not exceeding eighty-nine hundred and eighty dollars. Expenses.

Section 2. This act shall take effect upon its passage.

Approved March 26, 1913.

An Act making an appropriation for operating the south metropolitan system of sewage disposal. *Chap.*351

Be it enacted, etc., as follows:

Section 1. A sum not exceeding one hundred nine thousand four hundred and sixty dollars is hereby appropriated, to be paid out of the South Metropolitan System Maintenance Fund, for the cost of maintenance and operation of the south metropolitan system of sewage disposal, comprising a part of Boston, the cities of Newton and Waltham, and the towns of Brookline, Watertown, Dedham, and Milton, during the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen. South Metropolitan system of sewage disposal, maintenance, etc.

Section 2. This act shall take effect upon its passage.

Approved March 26, 1913.

An Act making an appropriation for operating the north metropolitan system of sewage disposal. *Chap.*352

Be it enacted, etc., as follows:

Section 1. A sum not exceeding one hundred seventy thousand six hundred dollars is hereby appropriated, to be North metropolitan system of

sewage disposal, maintenance, etc.

paid out of the North Metropolitan System Maintenance Fund for the maintenance and operation of a system of sewage disposal for the cities included in what is known as the north metropolitan system, during the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen.

SECTION 2. This act shall take effect upon its passage.

Approved March 26, 1913.

Chap. 353 AN ACT MAKING AN APPROPRIATION FOR OPERATING THE METROPOLITAN WATER SYSTEM.

Be it enacted, etc., as follows:

Metropolitan water system, maintenance, etc.

SECTION 1. A sum not exceeding four hundred and forty-seven thousand dollars is hereby appropriated, to be paid out of the Metropolitan Water Maintenance Fund, for the maintenance and operation of the metropolitan water system for the cities and towns in what is known as the metropolitan water district, during the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen.

SECTION 2. This act shall take effect upon its passage.

Approved March 26, 1913.

Chap. 354 AN ACT MAKING AN APPROPRIATION FOR THE CARE AND MAINTENANCE OF THE NANTASKET BEACH RESERVATION BY THE METROPOLITAN PARK COMMISSION.

Be it enacted, etc., as follows:

Nantasket beach reservation, maintenance, etc.

SECTION 1. A sum not exceeding thirty-two thousand one hundred eighty-seven dollars and three cents is hereby appropriated, to be paid out of the Metropolitan Park System, Nantasket, Maintenance Fund, for the care and maintenance of the Nantasket beach reservation by the metropolitan park commission, during the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen, the same to be covered by assessments upon certain cities and towns in the metropolitan district, in accordance with the provisions of chapter four hundred and sixty-four of the acts of the year eighteen hundred and ninety-nine.

SECTION 2. This act shall take effect upon its passage.

Approved March 26, 1913.

An Act relative to the preservation of certain public records. *Chap.* 355

Be it enacted, etc., as follows:

Section 1. Section fifteen of chapter thirty-five of the Revised Laws is hereby amended by inserting after the word "commonwealth", in the sixth line, the words: — and such records within the commonwealth may be delivered by their custodians to any county, city or town for such copying, — so as to read as follows: — *Section 15.* County commissioners, city councils and selectmen may cause copies of records of counties, cities or towns, of town proprietaries, of proprietors of plantations, townships or common lands, relative to land situated in their county, city or town or of easements relating thereto, to be made for their county, city or town, whether such records are within or without the commonwealth, and such records within the commonwealth may be delivered by their custodians to any county, city or town for such copying. City councils and selectmen may also cause copies to be made of the records of births, baptisms, marriages and deaths which are kept by a church or parish which is in their city or town.

R. L. 35, § 15, amended.

Copies of certain public records may be made, etc.

Section 2. This act shall take effect upon its passage.

Approved March 26, 1913.

An Act relative to annual returns of school statistics. *Chap.* 356

Be it enacted, etc., as follows:

Section 1. Section four of chapter forty-three of the Revised Laws, as amended by section three of chapter three hundred and sixty-eight of the acts of the year nineteen hundred and twelve, is hereby further amended by striking out the word "school", in the sixteenth line, and inserting in place thereof the word: — fiscal, — and by inserting after the word "taxation", in the twenty-fifth line, the words: — and also the total expenditures, classified, for the public schools during the school year last preceding the date of this certificate, — so as to read as follows: — *Section 4.* The chairman of each school committee shall annually on or before the thirty-first day of July transmit to the commissioner of education a certificate filled out, signed and sworn to by him, containing the following statements: —

R. L. 43, § 4, etc., amended.

Number of school children etc., to be certified, etc.

First. The number of persons between the ages of five and fifteen years, and the number of persons between the ages of seven and fourteen years, residing in the town (or city), according to the school census taken on the first day of September, last preceding the date of this certificate.

Second. The number of persons in the average membership of the public schools of the town (or city), for the school year last preceding the date of the certificate, as determined by the rules of the state school register.

Third. The amount of money raised by taxation by the town (or city), and expended during the fiscal year last preceding the date of the certificate for the support of the public schools, including the wages of teachers, the transportation of school children, fuel, the care of fires, schoolrooms and school premises, repairs, supervision, text-books and supplies, and school sundries or incidentals, but excluding alterations of school buildings, other than repairs, and construction of schoolhouses and contributions for the support of public schools which may be received from the commonwealth or from other sources than local taxation, and also the total expenditures, classified, for the public schools during the school year last preceding the date of this certificate.

Fourth. That the town (or city) has maintained during the school year last preceding the date of this certificate each of the schools, as required by section one of chapter forty-two of the Revised Laws, as amended by chapter one hundred and eighty-one of the acts of the year nineteen hundred and eight, and by chapter five hundred and twenty-four of the acts of the year nineteen hundred and ten, for a period of not less than thirty-two weeks, or twenty-eight weeks, if such reduction has been allowed under the provisions of the aforesaid section.

Fifth. That the town (or city) has maintained, during the school year last preceding the date of this certificate, a high school, as required by section two of said chapter forty-two, for a period of months, days, as stated.

Blank forms to be furnished.

The board of education is authorized and directed to prepare and furnish to school committees suitable forms of the certificate required by this section.

SECTION 2. This act shall take effect upon its passage.

Approved March 26, 1913.

An Act relative to the use of safety devices on the cars of street railway companies. *Chap.* 357

Be it enacted, etc., as follows:

Section 1. Section ninety of Part III of chapter four hundred and sixty-three of the acts of the year nineteen hundred and six, as amended by chapter three hundred and forty-five of the acts of the year nineteen hundred and eleven, is hereby further amended by striking out the word "and", in the third line, and by inserting after the word "tools", in the same line, the words: — and other safety devices, — so as to read as follows: — *Section 90.* A street railway company shall equip its cars, when in use, with such headlights, fenders, wheel guards, brakes, emergency tools and other safety devices as may be required by the board of railroad commissioners, and said board may modify its requirements.

1906, 463, Part III, § 90, etc., amended.

Equipment of street railway cars.

Section 2. This act shall take effect upon its passage.

Approved March 26, 1913.

An Act relative to the annual report of the director of the bureau of statistics on the statistics of labor. *Chap.* 358

Be it enacted, etc., as follows:

Section 1. Section three of chapter three hundred and seventy-one of the acts of the year nineteen hundred and nine, as amended by chapter eighty-three of the acts of the year nineteen hundred and ten, and by chapter seventy-four of the acts of the year nineteen hundred and eleven, is hereby further amended by inserting after the word "bureau", in the nineteenth line, the words: — but there shall be issued an additional number of the several parts of said report such as in the judgment of the director of the bureau may be required to meet the public demand for the same.

1909, 371, § 3, etc., amended.

Annual report of director of bureau of statistics.

Section 2. This act shall take effect upon its passage.

Approved March 26, 1913.

An Act to prohibit in manufacturing and mechanical establishments the making up of time lost on account of a legal holiday. *Chap.* 359

Be it enacted, etc., as follows:

Section 1. It shall be unlawful to require or to request any person employed in a manufacturing or mechanical

Making up of certain lost time regulated.

establishment to work more hours in any one day than is now limited by law, in order to make up time lost by reason of a legal holiday.

Penalty.

SECTION 2. Whoever violates the provisions of this act shall be punished by a fine not exceeding one hundred dollars for each offence. *Approved March 26, 1913.*

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*Chap.*360 AN ACT TO MAKE UNIFORM THE LAW RELATING TO MARRIAGES IN ANOTHER STATE OR COUNTRY IN EVASION OR VIOLATION OF THE LAWS OF THE STATE OF DOMICILE.

Be it enacted, etc., as follows:

Certain marriages declared void.

SECTION 1. If any person residing and intending to continue to reside in this state who is disabled or prohibited from contracting marriage under the laws of this state shall go into another state or country and there contract a marriage prohibited and declared void by the laws of this state, such marriage shall be null and void for all purposes in this state with the same effect as though such prohibited marriage had been entered into in this state.

Marriage in this state of certain non-residents prohibited, etc.

SECTION 2. No marriage shall be contracted in this state by a party residing and intending to continue to reside in another state or jurisdiction if such marriage would be void if contracted in such other state or jurisdiction, and every marriage celebrated in this state in violation of this provision shall be null and void.

Affidavits required.

SECTION 3. Before issuing a license to marry to a person who resides and intends to continue to reside in another state, the officer having authority to issue the license shall satisfy himself, by requiring affidavits or otherwise, that such person is not prohibited from intermarrying by the laws of the jurisdiction where he or she resides.

Penalties.

SECTION 4. Any official issuing a license with knowledge that the parties are thus prohibited from intermarrying, and any person authorized to celebrate marriage who shall knowingly celebrate such a marriage shall be guilty of a misdemeanor, and on conviction thereof shall be punished by a fine of not less than one hundred dollars or more than five hundred dollars, or by imprisonment for not more than one year, or by both such fine and imprisonment.

Purpose of act.

SECTION 5. This act shall be so interpreted and construed as to effectuate its general purpose to make uniform the law of those states which enact it.

Section 6. All acts and parts of acts inconsistent herewith are hereby repealed. Repeal.

Section 7. This act shall take effect on the first day of January, nineteen hundred and fourteen. Time of taking effect.

Approved March 26, 1913.

An Act to change the name of the Worcester Board of Trade and to authorize it to hold additional real and personal estate. *Chap.* 361

Be it enacted, etc., as follows:

Section 1. The Worcester Board of Trade shall hereafter be called the Worcester Chamber of Commerce. Name changed.

Section 2. Section one of chapter ten of the acts of the year eighteen hundred and seventy-five is hereby amended by striking out the words "Board of Trade", in the fourth line, and inserting in place thereof the words: — Chamber of Commerce, — and by striking out the words "trade and business in the city of Worcester and vicinity", in the fifth line, and inserting in place thereof the words: — the material development and the civic welfare of Worcester, — so as to read as follows: — *Section 1.* Sumner Pratt, E. B. Stoddard, John D. Washburn, Edward L. Davis, their associates and successors are hereby made a corporation, by the name of the Worcester Chamber of Commerce, for the purpose of promoting the material development and the civic welfare of Worcester, with all the duties, liabilities and restrictions set forth in all general laws which now are or may hereafter be in force relating to such corporations: *provided, however,* that this act shall not be construed to authorize said corporation to traffic in goods, wares or merchandise of any description. 1875, 10, § 1, amended. Worcester Chamber of Commerce incorporated. Proviso.

Section 3. Section two of said chapter ten is hereby amended by striking out the words "ten thousand", in the second line, and inserting in place thereof the words: — one million, — so as to read as follows: — *Section 2.* Said corporation may hold real and personal estate not exceeding one million dollars in value, to be devoted to the purposes of said corporation. 1875, 10, § 2, amended. May hold real and personal estate.

Approved March 26, 1913.

Chap. 362 AN ACT TO AUTHORIZE THE CITY OF HOLYOKE TO INCUR INDEBTEDNESS FOR SCHOOL AND POLICE BUILDINGS.

Be it enacted, etc., as follows:

Holyoke School and Police Building Loan, Act of 1913.

SECTION 1. For the purpose of acquiring land for and constructing and equipping school and police buildings, the city of Holyoke is hereby authorized to borrow the sum of three hundred thousand dollars, and may from time to time issue bonds or notes therefor, and the same shall not be reckoned in determining the statutory limit of indebtedness of the city. Such bonds or notes shall bear on their face the words, Holyoke School and Police Building Loan, Act of 1913; shall be payable in such annual payments, beginning not more than one year after the respective dates thereof, as will extinguish the loan within twenty years from the date thereof; and the amount of such annual payment of any loan in any year shall not be less than the amount of the principal of said loan payable in any subsequent year. Each authorized issue of bonds or notes shall constitute a separate loan. Said bonds or notes shall bear interest at a rate not exceeding four and one half per cent per annum, payable semi-annually; shall be signed by the mayor and treasurer of the city and countersigned by the auditor. The city may sell such bonds or notes at public or private sale, upon such terms and conditions as it may deem proper, but they shall not be sold for less than their par value, and the proceeds shall not be used for any purpose other than that herein specified.

Payment of loan.

SECTION 2. The said city shall, at the time of authorizing said loan or loans, provide for the payment thereof in accordance with section one of this act; and when a vote to that effect has been passed, a sum sufficient to pay the interest as it accrues on the bonds or notes issued as aforesaid by the city, and to make such payments on the principal as may be required under the provisions of this act, shall without further vote be assessed by the assessors of the city annually thereafter, in the same manner in which other taxes are assessed, until the debt incurred by said loan or loans is extinguished.

SECTION 3. This act shall take effect upon its passage.

Approved March 26, 1913.

An Act to provide for a building for the high school of commerce in the city of Boston. *Chap.* 363

Be it enacted, etc., as follows:

Section 1. Chapter four hundred and forty-six of the acts of the year nineteen hundred and nine is hereby amended by striking out section one and inserting in place thereof the following: — *Section 1.* The board of schoolhouse commissioners of the city of Boston may cause to be taken for the city in the manner provided for the taking of land for schoolhouses, land for a building to be occupied by the High School of Commerce, and said board shall erect and furnish said building as approved by the school committee: *provided, however*, that the building may be erected within the limits of the Back Bay Fens, if the mayor and the city council of Boston shall so determine.

1909, 446, § 1, amended.

Building may be erected, etc., for the High School of Commerce in Boston.

Proviso.

Section 2. Section two of said chapter four hundred and forty-six is hereby amended by inserting after the word "eleven", in the seventh line, the words: — and one hundred thousand dollars in the year nineteen hundred and thirteen, — so as to read as follows: — *Section 2.* The school committee of said city, to meet the expenses incurred under this act, may appropriate a sum not exceeding fifty thousand dollars in the year nineteen hundred and nine, three hundred thousand dollars in the year nineteen hundred and ten, and two hundred and fifty thousand dollars in the year nineteen hundred and eleven, and one hundred thousand dollars in the year nineteen hundred and thirteen. The amount which the school committee may thus appropriate in any single year shall be reckoned in determining the statutory limit of indebtedness of the city for that year. The treasurer of the city shall issue and sell negotiable bonds of the city to such amount as shall be determined by the school committee within the powers conferred by this act. Said bonds shall be payable in a period of years not exceeding twenty, and shall bear interest at a rate not exceeding four per cent per annum. The city may, at the discretion of the mayor, issue said bonds upon the serial payment plan, instead of establishing a sinking fund for the retirement thereof. Such plan, if adopted, shall provide for the issue of bonds or scrip to be paid serially in such amounts and at such times as shall be determined by the mayor; the bond last payable to become due at a date not later than that on which the whole

1909, 446, § 2, amended.

Appropriations for expenses.

Issue of bonds, etc.

series of bonds would have matured if they had been issued under the sinking fund method. The orders of the school committee determining the amount of said bonds which the city treasurer is to issue shall be presented to the mayor for his approval or disapproval, and the same proceedings shall be had in respect thereto as are now prescribed by law in regard to other orders of the school committee involving the expenditure of money. The proceeds of said bonds shall be expended by the board of schoolhouse commissioners of the city in accordance with the provisions of this act and of chapter four hundred and seventy-three of the acts of the year nineteen hundred and one and of any amendments thereof.

1909, 446, § 3, amended.

SECTION 3. Section three of said chapter four hundred and forty-six of the acts of the year nineteen hundred and nine is hereby amended by striking out in the first, second and third lines of said section the following "of the estate on Mason street in said city now occupied by the school committee for office and other purposes and", so as to read as follows: — *Section 3.* The proceeds of the sale of the Winthrop school estate on Tremont street shall be applied toward the cost of the land and building authorized by this act, and the amount of bonds which may be issued hereunder shall be reduced by an amount equivalent to the net proceeds of such sale: *provided,* that if such sale shall not be completed until after the issue of some or all of the bonds authorized hereby, then the net proceeds of such sale, less any amount employed in reduction of the amount of bonds thereafter to be issued as above provided, shall be paid to the board of sinking fund commissioners and applied to the retirement or redemption of the bonds authorized hereby.

Proceeds of sale of certain property to be applied toward cost, etc.

Proviso.

Repeal.

SECTION 4. Chapter five hundred and forty of the acts of the year nineteen hundred and eleven is hereby repealed.

Time of taking effect.

SECTION 5. Sections one and three of this act shall take effect upon its passage, and section two shall take effect if approved within the calendar year nineteen hundred and thirteen by the mayor and by the city council of the city of Boston. *Approved March 26, 1913.*

Chap. 364 AN ACT RELATIVE TO THE CONSTRUCTION OF PASSAGEWAYS OR BRIDGES OVER CERTAIN STREETS IN THE TOWN OF IPSWICH.

Be it enacted, etc., as follows:

Construction of passageways, etc.,

SECTION 1. The town of Ipswich is hereby authorized to permit the Ipswich Mills to connect its property in that

town by passageways or bridges built over the highways known as Estes street and Peatfield street, the said passageways or bridges to be not less than eighteen feet above the roadways, not more than thirty feet wide, and to be constructed in such manner as shall be approved by the selectmen of the town of Ipswich. over certain streets in Ipswich.

Section 2. Any person whose property is damaged by reason of the construction of a passageway or bridge as aforesaid may have the damages determined by a jury, upon petition to the superior court filed within one year after the construction of such passageway or bridge. Damages.

Section 3. This act shall be submitted to the voters of the town of Ipswich at a special or annual town meeting, and shall take effect upon its acceptance by a majority of the voters voting thereon. *Approved March 26, 1913.* Act to be submitted to voters.

An Act relative to posting in country hotels notice of the hours of employment therein of women and minors. *Chap.* 365

Be it enacted, etc., as follows:

Section 1. In towns of less than forty-five hundred inhabitants, the employer of women or minors in a hotel or upon premises used for the temporary purpose of publicly providing and serving meals shall be exempt from posting the notices required by the provisions of section forty-seven of chapter five hundred and fourteen of the acts of the year nineteen hundred and nine. Employers in certain hotels, etc., exempt from posting notices of hours of employment.

Section 2. This act shall take effect upon its passage. *Approved March 26, 1913.*

An Act making appropriations for the expenses of the Massachusetts nautical school. *Chap.* 366

Be it enacted, etc., as follows:

Section 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, for the expenses of the Massachusetts nautical school, for the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen, to wit: — Appropriations, Massachusetts nautical school.

For the current expenses of the school, a sum not exceeding sixty-two thousand dollars. Current expenses.

Expenses of commissioners, secretary, etc.

For expenses of the commissioners, the salary of the secretary, clerical services, printing, stationery, contingent expenses, and printing and binding the annual report, a sum not exceeding six thousand dollars.

SECTION 2. This act shall take effect upon its passage.

Approved March 26, 1913.

Chap. 367 AN ACT RELATIVE TO A RETIREMENT FUND FOR LABORERS EMPLOYED BY THE CITY OF BOSTON.

Be it enacted, etc., as follows:

1911, 413, § 1, amended.

SECTION 1. Section one of chapter four hundred and thirteen of the acts of the year nineteen hundred and eleven is hereby amended by adding at the end thereof the following: — The word "laborers", as here used shall mean laborers, skilled laborers, mechanics and craftsmen as registered upon the lists of the civil service commission for the labor service in the city of Boston at the date of retirement, and shall include all janitors and all women performing duties similar to those attached to positions in the labor service, — so as to read as follows: — *Section 1.* There shall be a retirement board for the laborers employed by the city of Boston, consisting of the mayor, the auditor and the treasurer of the city, who shall discharge the duties hereby imposed upon them without additional compensation. The word "laborers", as here used shall mean laborers, skilled laborers, mechanics and craftsmen as registered upon the lists of the civil service commission for the labor service in the city of Boston at the date of retirement, and shall include all janitors and all women performing duties similar to those attached to positions in the labor service.

Retirement board for laborers in the city of Boston created.

Term "laborers" defined.

1911, 413, § 2, amended.

SECTION 2. Section two of said chapter four hundred and thirteen is hereby amended by striking out the words "which he received", in the eighth line, and inserting in place thereof the words: — to which he would have been entitled for full employment, — and by inserting after the word "city", in the ninth line, the words: — but in no case shall such pension exceed in amount the sum of three hundred and sixty dollars per year, — so as to read as follows: — *Section 2.* Any laborer employed by the city of Boston who has reached the age of sixty years and who has been in the service of the city for a period of not less than twenty-five years, and who is physically incapacitated, shall, at his request and with the

Retirement of laborers.

approval of the retirement board above provided for, be retired from service, and shall receive for the remainder of his life an annual pension equal to one half of the compensation to which he would have been entitled for full employment during the last year of his service for the city; but in no case shall such pension exceed in amount the sum of three hundred and sixty dollars per year. It shall be the duty of the said board so to retire any laborer in the service of the city who has reached the age of seventy years and has served the city for a period of not less than twenty-five years.

Section 3. This act shall take effect upon its passage.

Approved March 26, 1913.

An Act relative to the obtaining of positions by school teachers. *Chap.* 368

Be it enacted, etc., as follows:

1911, 731, § 1, amended.

Section 1. Section one of chapter seven hundred and thirty-one of the acts of the year nineteen hundred and eleven is hereby amended by striking out the words "and is a resident of the state", in the fifth and sixth lines, so as to read as follows: — *Section 1.* Any graduate of any high school or normal school in this commonwealth, or of any other school considered by the board of education to be of equal grade, or the graduate of any reputable college, provided that such graduate is a person of good character, may file an application with the board of education for a position as school teacher upon the payment of a fee of two dollars. The application shall set forth the name, address, and, briefly, the experience and qualifications of the applicant. It shall be the duty of the board of education to communicate with the school committees in the cities and towns of the commonwealth, and with persons who have made application for a position as school teacher in accordance with the provisions of this section, and to procure positions for them so far as may be possible, free of expense to the applicant beyond the aforesaid fee, and without expense to the various school committees. The said board shall cause to be printed and sent to school committees of cities and towns a list of the applicants for positions as aforesaid, with a brief statement of their qualifications and experience.

Applications for employment as school teachers.

Duties of board of education, etc.

Section 2. This act shall take effect upon its passage.

Approved March 26, 1913.

*Chap.*369 AN ACT TO SHORTEN THE FORMS OF CO-OPERATIVE BANK MORTGAGES.

Be it enacted, etc., as follows:

1912, 502, § 6, amended.

Chapter five hundred and two of the acts of the year nineteen hundred and twelve is hereby amended by striking out section six and inserting in place thereof the following: —

Statute form of mortgage.

Section 6. (Statute form, mortgage.)

of , County, for consideration paid, grant to of with mortgage covenants, to secure the payment of dollars in years with per cent interest per annum, payable semi-annually, as provided in note of even date, the land in (description and encumbrances, if any). This mortgage is upon the statutory condition, for any breach of which the mortgagee shall have the statutory power of sale.

wife of said mortgagor, release to the mortgagee all rights of dower and homestead and other interests in the mortgaged premises.

Witness hand and seal this day of

(Seal.)

(ACKNOWLEDGMENT.)

Force and effect.

Every mortgage in substance in the above form, when duly executed, shall have the force and effect of a mortgage deed to the use of the mortgagee and his heirs and assigns, with mortgage covenants as defined in section eighteen of this act, to secure the payment of the money or the performance of any obligation therein specified;

(CONDITION.)

Condition.

Provided, nevertheless, except as otherwise specifically stated in the mortgage, that if the mortgagor, or his heirs, executors, administrators, or assigns shall pay unto the mortgagee or his executors, administrators or assigns the principal and interest secured by the mortgage, and shall perform any obligation secured, at the time provided in the note, mortgage or other instrument or any extension thereof, and shall perform the condition of any prior mortgage, and until such payment and performance shall pay when due and payable all taxes, charges and assessments, to

whomsoever and whenever laid or assessed, whether on the mortgaged premises or on any interest therein, or on the debt or obligation secured thereby; shall keep the buildings on said premises insured against fire in a sum not less than the amount secured by the mortgage, or as otherwise provided therein for insurance, for the benefit of the mortgagee and his executors, administrators and assigns, in such form and at such insurance offices as they shall approve, and, at least two days before the expiration of any policy on said premises, shall deliver to him or them, a new and sufficient policy to take the place of the one so expiring; and shall not commit or suffer any strip or waste of the mortgaged premises, or any breach of any covenant contained in the mortgage or in any prior mortgage; then the mortgage deed, as also the mortgage note or notes, shall be void.

(POWER.)

Power. But upon any default in the performance or observance of the foregoing or other condition, the mortgagee or his executors, administrators, successors or assigns may sell the mortgaged premises or such portion thereof as may remain subject to the mortgage in case of any partial release thereof, either as a whole or in parcels, together with all improvements that may be thereon, by public auction on or near the premises, or at such place as may be designated for that purpose in the mortgage, first complying with the terms of the mortgage and with the statutes relating to the foreclosure of mortgages by the exercise of a power of sale, and may convey the same by proper deed or deeds to the purchaser or purchasers absolutely and in fee simple; and such sale shall forever bar the mortgagor and all persons claiming under him from all right and interest in the mortgaged premises, whether at law or in equity.

Statutory Condition. The foregoing "condition" shall be known as the *Statutory Condition,* and may be incorporated in any mortgage by reference.

Statutory Power of Sale. The foregoing "power" shall be known as the *Statutory Power of Sale,* and may be incorporated in any mortgage by reference.

The parties may insert in such mortgage any lawful agreement or condition.

(STATUTE FORM, CO-OPERATIVE BANK MORTGAGE.)

Statute form, co-operative bank mortgage.

of , County, Massachusetts (being unmarried) for consideration paid, grant to Co-operative Bank, situated in , County, Massachusetts, with mortgage covenants to secure the payment of dollars, and interest and fines as provided in note of even date, the land (description and encumbrances, if any).

hereby transfer and pledge to the said mortgagee shares in the series of its capital stock as collateral security for the performance of the conditions of this mortgage, and said note upon which shares said sum of dollars has been advanced to by the mortgagee. The monthly payments under this mortgage are dollars. In the event of an assignment of this mortgage, interest on the unpaid balance of the principal shall be at the rate of per cent per annum.

This mortgage is upon the statutory co-operative bank mortgage condition, for any breach of which the mortgagee shall have the statutory co-operative bank power of sale.

I, wife of said mortgagor, release to the mortgagee all rights of dower and homestead and other interests in the mortgaged premises.

Witness hand and seal this day of

(Seal.)

(ACKNOWLEDGMENT.)

Force and effect.

Every co-operative bank mortgage in substance in the above form, when duly executed, shall have the force and effect of a mortgage deed to the use of the mortgagee and its successors and assigns, with mortgage covenants as defined in section eighteen of this act, to secure the payment of the money or the performance of any obligation therein specified.

(CO-OPERATIVE BANK CONDITION.)

Condition.

Provided, nevertheless, that if the mortgagor or his heirs, executors, administrators or assigns shall pay unto the said mortgagee, its successors or assigns, at its place of business the monthly dues, interest and premium, if any,

together with all fines on payments in arrears, monthly at or before the stated meetings of said bank, until said shares shall reach their matured value, or if the mortgagor or his heirs, executors, administrators or assigns shall otherwise sooner pay said loan unto the said mortgagee, its successors or assigns, together with the said interest and fines to the time of the next stated monthly meeting after such payment, and shall pay when due all taxes and assessments levied or assessed on the mortgaged premises, and all taxes which the said mortgagee may be required to pay as holder of this mortgage, shall keep the buildings thereon insured against fire in a sum satisfactory to and for the benefit of the said mortgagee, its successors or assigns, at such insurance office and by such insurance company as it or they shall approve, or, in default thereof, shall on demand pay to the said mortgagee, its successors or assigns all such sums as it shall reasonably pay for such taxes, assessments and insurance, with interest, and shall not commit or suffer any strip or waste of the mortgaged premises, or any breach of any covenant herein contained, or in any prior mortgage, then the mortgage deed, as also the mortgage note, shall be void.

(CO-OPERATIVE BANK POWER.)

But in case of non-payment of the aforesaid monthly dues, interest or fines and premiums, if any, for more than four months after any payment thereof shall be due, or upon any other default in the performance or observance of the foregoing or other condition, the mortgagee or its successors or assigns may sell the mortgaged premises or such portion thereof as may remain subject to the mortgage in case of any partial release thereof, either as a whole or in parcels, together with all improvements that may be thereon, by public auction on or near the premises, or at such place as may be designated for that purpose in the mortgage, first complying with the terms of the mortgage and with the statutes relating to the foreclosure of mortgages by the exercise of a power of sale, and may convey the same by proper deed or deeds to the purchaser or purchasers absolutely and in fee simple; and such sale shall forever bar the mortgagor and all persons claiming under him from all right and interest in the mortgaged premises, whether at law or in equity. Power.

The foregoing "co-operative bank condition" shall be known as the *Statutory Co-operative Bank Condition,* and Statutory Co-operative Bank Condition.

may be incorporated in any co-operative bank mortgage by reference.

Statutory Co-operative Bank Power of Sale.

The foregoing "co-operative bank power" shall be known as the *Statutory Co-operative Bank Power of Sale,* and may be incorporated in any mortgage by reference.

Proceedings in case premises are damaged, etc., by fire.

If any buildings on the mortgaged premises shall be wholly or partly destroyed by a fire in respect to which the company or companies insuring the same shall deny liability to the insured, the mortgagee may at its option forfeit said shares, and, after applying the withdrawal value thereof to the payment of said loan, interest and fines, may assign the mortgage with the note and debt thereby secured to such company or companies upon payment by it or them of the balance then owing to the mortgagee on account of said loan; whereupon said note and mortgage shall forthwith become a note and mortgage payable on demand with interest at the rate set forth in said mortgage, payable semi-annually, the first payment of such interest to become due six months after the date of such assignment.

The parties may insert in such co-operative bank mortgage any lawful agreement or condition.

Approved March 27, 1913.

Chap. 370 AN ACT RELATIVE TO GAMING AND BETTING IN PUBLIC PLACES.

Be it enacted, etc., as follows:

R. L. 214, § 2, etc., amended.

Section two of chapter two hundred and fourteen of the Revised Laws, as amended by chapter three hundred and sixty-six of the acts of the year nineteen hundred and seven, is hereby further amended by inserting after the word "place", in the third line, the words: — or in a private place upon which he is trespassing, — and by inserting after the word "months", in the seventh line, the words: — and whoever sets up or permits such a game shall be punished by a fine of not less than fifty dollars nor more than one hundred dollars, or by imprisonment for not less than three nor more than twelve months, — so as to read as follows: — *Section 2.*

Penalty for gaming in public conveyance, etc.

Whoever, in a railroad car, steamboat or other public conveyance, or public place, or in a private place upon which he is trespassing, plays at cards, dice or any other game for money or other property, or bets on the sides or hands of those playing, shall for each offence forfeit not more than fifty dollars or be imprisoned for not more than three months; and

whoever sets up or permits such a game shall be punished by a fine of not less than fifty dollars nor more than one hundred dollars, or by imprisonment for not less than three nor more than twelve months. If he is discovered in the act, he may be arrested without a warrant by a sheriff, deputy sheriff, constable or other civil officer, and held in custody, in jail or otherwise, for not more than twenty-four hours, until complaint is made against him for such offence.

Approved March 28, 1913.

An Act to authorize the town of Falmouth to appropriate money for improving Wild Harbor. *Chap.* 371

Be it enacted, etc., as follows:

Section 1. The town of Falmouth is hereby authorized to appropriate a sum not exceeding one thousand dollars for the purpose of improving Wild Harbor, so-called, within the said town.

Town of Falmouth may appropriate money for improvement of Wild Harbor.

Section 2. Any money appropriated under the authority hereof shall be paid into the treasury of the commonwealth to be expended by the harbor and land commissioners: *provided, however,* that said commissioners shall make no expenditure therefrom until not less than an equal amount is allotted by them for the same purpose from the appropriation made by the commonwealth for harbor improvements.

To be expended by harbor and land commissioners.

Proviso.

Section 3. This act shall take effect upon its passage.

Approved March 28, 1913.

An Act relative to the court officer and constable in the penal institutions department of the city of Boston. *Chap.* 372

Be it enacted, etc., as follows:

Section 1. The court officer and constable in the penal institutions department of the city of Boston shall have the powers of a special state police officer and shall have authority to serve warrants and to do all other acts which police officers have authority to do.

Powers of certain officers in penal institutions department.

Section 2. This act shall take effect upon its passage.

Approved March 28, 1913.

*Chap.*373 AN ACT MAKING APPROPRIATIONS FOR THE CARE OF RESERVATIONS AND FOR CERTAIN OTHER EXPENSES OF THE METROPOLITAN PARK COMMISSION.

Be it enacted, etc., as follows:

Appropriations, metropolitan park commission.

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the Metropolitan Parks Maintenance Fund, for expenses of the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen, to wit: —

Maintenance of reservations.

For maintenance of reservations by the metropolitan park commission, a sum not exceeding three hundred ninety thousand nine hundred twenty-two dollars and seventy-two cents.

Pensions.

For certain pensions, a sum not exceeding seventeen hundred forty dollars and fifty cents.

Extermination of mosquitoes.

For the extermination of mosquitoes in the Neponset river reservation, a sum not exceeding twenty-five hundred dollars.

Bulkhead at Revere beach reservation.

For a bulkhead at the Revere beach reservation, a sum not exceeding twenty-six hundred dollars.

SECTION 2. This act shall take effect upon its passage.

Approved March 28, 1913.

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*Chap.*374 AN ACT MAKING AN APPROPRIATION FOR THE CARE OF THE CHARLES RIVER BASIN BY THE METROPOLITAN PARK COMMISSION.

Be it enacted, etc., as follows:

Charles river basin, maintenance, etc.

SECTION 1. A sum not exceeding one hundred seventeen thousand six hundred thirty-five dollars and twenty-one cents is hereby appropriated, to be paid out of the Charles River Basin Maintenance Fund by the metropolitan park commission for the care of the Charles river basin, during the year ending on the thirtieth day of November, nineteen hundred and thirteen, as authorized by chapter four hundred and sixty-five of the acts of the year nineteen hundred and three.

SECTION 2. This act shall take effect upon its passage.

Approved March 28, 1913.

An Act making an appropriation for the care and maintenance of Wellington bridge by the metropolitan park commission. *Chap.* 375

Be it enacted, etc., as follows:

Wellington bridge, maintenance, etc.

Section 1. A sum not exceeding fifty-eight hundred and sixty-two dollars is hereby appropriated, to be paid out of the Metropolitan Parks System, Wellington Bridge, Maintenance Fund, for the care and maintenance of Wellington bridge, including draw-tenders, labor, lighting, watering, supplies and miscellaneous expenses, by the metropolitan park commission, for the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen, in accordance with the provisions of chapter four hundred and ninety-one of the acts of the year nineteen hundred and one.

Section 2. This act shall take effect upon its passage.

Approved March 28, 1913.

An Act relative to the preparation and sale of bonds of the commonwealth. *Chap.* 376

Be it enacted, etc., as follows:

Payment of expense of sale, etc., of bonds, etc., for direct debt of commonwealth.

Section 1. The treasurer and receiver general may annually expend such sums of money as the legislature shall appropriate for the purpose of preparing and advertising bond sales and for the preparation and payment of bond books for the direct debt of the commonwealth.

—for metropolitan districts, etc.

Section 2. When bonds of the commonwealth are issued, the payment of which is provided by assessments upon the metropolitan district, or other districts, the expenses of preparing and advertising the sale and the preparation and payment of bond books shall be paid from the maintenance appropriation of the district from which the assessment is to be received.

Section 3. This act shall take effect upon its passage.

Approved March 28, 1913.

An Act to authorize the metropolitan water and sewerage board to construct an additional branch sewer in the city of Somerville. *Chap.* 377

Be it enacted, etc., as follows:

Construction of branch sewer in

Section 1. The metropolitan water and sewerage board is hereby authorized to construct an additional branch sewer

Somerville authorized.

through a part of the city of Somerville, in order to dispose of sewage coming from the city of Medford, and for this purpose the said board is hereby authorized to expend any balance of the proceeds of bonds already issued on account of the Metropolitan Sewerage Loan Fund, for the benefit of the north metropolitan sewerage district, which may be in excess of the amount required for satisfying the purposes for which said bonds were issued.

SECTION 2. This act shall take effect upon its passage.

Approved March 28, 1913.

Chap. 378 AN ACT RELATIVE TO THE LOCATION AND CONSTRUCTION OF THE BOSTON AND WESTERN ELECTRIC RAILROAD IN THE TOWNS OF WESTON AND WAYLAND.

Be it enacted, etc., as follows:

Location of Boston and Western electric railroad in the town of Weston.

SECTION 1. The board of railroad commissioners, on petition of the directors of the Boston and Western Electric Railroad Company, an electric railroad company in process of formation, may fix or change the route of the Boston and Western electric railroad in the town of Weston so as to pass, with the tracks of the Boston and Maine railroad, under the bridges at the Weston station and at the Cherry Brook station of the Boston and Maine railroad, and under the Conant Road bridge, or any of them, and for the purpose may locate the said electric railroad, in whole or in part, on the right of way of the Boston and Maine railroad for such distance as the said board may deem proper and desirable, and may direct the alteration or reconstruction, in whole or in part, of said bridges or any of them, and may make all directions and orders necessary for the location, construction, maintenance and operation of said electric railroad at the places aforesaid, or any of them, and may apportion all expense and damages upon such terms and subject to such conditions as the board of railroad commissioners shall prescribe: *provided, however,* that said location and said terms and conditions shall be assented to and agreed upon by said electric railroad company, by the Boston and Maine Railroad, by the town of Weston, and by the attorney-general in behalf of the commonwealth; and *provided, further,* that no part of the expense of such alterations or reconstructions, either in any of said bridges or in the approaches thereto, as may be directed or agreed upon under the authority of this

Provisos.

act shall be apportioned to or assessed upon the town of Weston. The said electric railroad company, the Boston and Maine Railroad, the town of Weston and the commonwealth by its attorney-general are hereby authorized to assent to and to enter into an agreement or agreements to accomplish the purposes of this section.

Location of Boston and Western electric railroad in the town of Wayland.

Section 2. The board of railroad commissioners, on petition of the directors of the Boston and Western Electric Railroad Company, an electric railroad company in process of formation, may fix or change the route of the Boston and Western electric railroad in the town of Wayland so as to pass by the side of the tracks of the Boston and Maine railroad at the Tower Hill station, at the Wayland station, and at the Millbrook Road crossing of the Boston and Maine railroad, or any of them, and for this purpose may locate the said electric railroad, in whole or in part, on the right of way of the Boston and Maine railroad for such distance as the said board may deem proper and desirable, and may direct and supervise the abolition of the grade crossing at said Tower Hill station, at said Wayland station, and at said Millbrook Road crossing, or any of them, as to the tracks of the said electric railroad and of the said Boston and Maine railroad jointly, and may make all directions and orders necessary for the location, construction, maintenance and operation of said electric railroad and said steam railroad at the aforesaid places, or any of them, and may apportion all expense and damages upon such terms and subject to such conditions as the board of railroad commissioners shall prescribe: *provided, however,* that said location and abolition and said terms and conditions shall be assented to and agreed upon by said electric railroad company, by the Boston and Maine Railroad, by the town of Wayland, by an agent or agents thereunto duly authorized by a vote of two thirds of the legal voters present and voting at a town meeting, and by the attorney-general in behalf of the commonwealth. The said electric railroad company, the Boston and Maine Railroad, the town of Wayland, by an agent or agents thereunto duly authorized by a vote of two thirds of the legal voters present and voting at a town meeting, and the commonwealth by its attorney-general are hereby authorized to assent to and to enter into an agreement or agreements to accomplish the purposes of this section.

Proviso.

Section 3. This act shall take effect upon its passage.

Approved March 28, 1913.

Chap. 379 AN ACT TO AUTHORIZE THE CITY OF BROCKTON TO INCUR INDEBTEDNESS FOR SCHOOL PURPOSES.

Be it enacted, etc., as follows:

Brockton High School Loan, Act of 1913.

SECTION 1. For the purpose of acquiring land and erecting thereon a building to be used as a high school, the city of Brockton is hereby authorized to borrow the sum of three hundred thousand dollars, and may from time to time issue bonds or notes therefor, payable at periods not exceeding twenty years from their respective dates of issue, and the same shall not be reckoned in determining the statutory limit of indebtedness of the city. Such bonds or notes shall be signed by the treasurer and countersigned by the mayor of the city; shall be denominated on the face thereof, Brockton High School Loan, Act of 1913; and shall bear interest at a rate not exceeding four and one half per cent per annum, payable semi-annually. The city may sell the said securities at public or private sale, upon such terms and conditions as it may deem proper; but they shall not be sold for less than their par value and the proceeds shall be used only for the purpose herein specified.

Payment of loan.

SECTION 2. The said city shall, at the time of making the said loan, provide for the payment thereof in such annual payments, beginning not more than one year after the date of each respective issue of such bonds or notes, as will extinguish the same within the time prescribed by this act; and the amount of such annual payment of any loan in any year shall not be less than the amount of the principal of said loan payable in any subsequent year. When a vote to the effect aforesaid has been passed, a sum sufficient to pay the interest as it accrues on the bonds or notes issued as aforesaid, and to make such payments on the principal as may be required under the provisions of this act shall, without further vote, be assessed by the assessors of the city in each year thereafter, in the same manner in which other taxes are assessed, until the debt incurred by said loan or loans is extinguished.

SECTION 3. This act shall take effect upon its passage.

Approved March 28, 1913.

An Act to establish the baker's corner fire district in the town of seekonk. *Chap.* 380

Be it enacted, etc., as follows:

Baker's Corner Fire District in the town of Seekonk established.

Section 1. The inhabitants of the town of Seekonk liable to taxation in that town and residing within the territory enclosed by the following boundary lines: — Beginning at the junction of the northerly boundary line of the town of Seekonk, with the boundary line of the state of Rhode Island; thence running easterly along the said northerly line of Seekonk until it comes to Central avenue; thence southerly along the centre line of said Central avenue until it comes to a point two hundred feet southerly from the southerly line of Taunton avenue; thence easterly, parallel with said Taunton avenue, and two hundred feet therefrom, until it comes to the westerly line of the right of way of the east junction branch of the New York, New Haven and Hartford railroad; thence in a southwesterly direction along the said westerly line of right of way until it comes to a point in range with a line drawn parallel with and two hundred feet southerly from the southerly line of Brook street; thence westerly along the above mentioned range line, two hundred feet southerly from and parallel with Brook street, until it intersects the aforementioned state boundary line of Rhode Island; thence northerly along said state boundary line until it comes to the place of beginning, shall constitute a fire district, and are hereby constituted a body corporate by the name of the Baker's Corner Fire District, for the purpose of supplying themselves with water for the extinguishment of fires and for domestic and other purposes, with power to establish fountains and hydrants and to relocate and discontinue the same, to regulate the use of such water and to fix and collect rates to be paid therefor, and to take, or acquire by lease, purchase or otherwise, and to hold property, lands, rights of way and other easements for the purposes mentioned in this act, and to prosecute and defend all actions relating to the property and affairs of the district.

May take lands, water sources, etc.

Section 2. Said fire district, for the purposes aforesaid, may contract with the water department of the town of Attleborough, or with any other town or city water department, or with any water company, or may take, or acquire by purchase or otherwise, and hold, the waters of any pond or stream or of any ground sources of supply by means

of driven, artesian or other wells within the town of Seekonk, and the water rights connected with any such water sources. Said district may also take, or acquire by purchase or otherwise, and hold, all lands, rights of way and other easements necessary for collecting, storing, holding, purifying and preserving the purity of the water and for conveying the same to any part of said district: *provided, however,* that no source of water supply and no lands necessary for preserving the quality of the water, shall be taken or used without first obtaining the advice and approval of the state board of health, and that the situation of all dams, reservoirs and wells to be used as sources of water supply under this act shall be subject to the approval of said board. Said district may construct on the lands acquired and held under the provisions of this act proper dams, reservoirs, standpipes, tanks, buildings, fixtures and other structures, and may make excavations, procure and operate machinery and provide such other means and appliances, and do such other things as may be necessary for the establishment and maintenance of complete and effective water works; and for that purpose may construct wells and reservoirs and establish pumping works, and may construct, lay and maintain aqueducts, conduits, pipes and other works under or over any land, water courses, railroads, railways and public or other ways, and along such ways in Seekonk, in such manner as not unnecessarily to obstruct the same; and for the purpose of constructing, laying, maintaining, operating and repairing such conduits, pipes and other works, and for all proper purposes of this act, said district may dig up or raise and embank any such lands, highways or other ways in such manner as to cause the least hindrance to public travel; but all things done upon any such way shall be subject to the direction of the selectmen of the town of Seekonk.

Proviso.

May erect structures, lay pipes, etc.

Description of lands, etc., taken to be recorded, etc.

SECTION 3. Said fire district shall, within ninety days after the taking of any lands, water rights, water sources, rights of way, or other easements under the provisions of this act, file and cause to be recorded in the registry of deeds for the county or district in which the same are situated a description thereof sufficiently accurate for identification, with a statement of the purpose for which the same were taken, signed by the water commissioners hereinafter provided for. The title to all land taken, purchased or acquired in any way under the provisions of this act shall vest in said Baker's Corner Fire District, and the land so acquired may

be managed, improved and controlled by the board of water commissioners hereinafter provided for, in such manner as they shall deem for the best interest of said district.

Damages.

Section 4. Said district shall pay all damages to property sustained by any person or corporation by the taking of any land, water, water source, water right, right of way or other easement, or by anything done by said district under authority of this act. Any person or corporation sustaining damages as aforesaid, and failing to agree with the district as to the amount thereof, may have the same determined in the manner provided by law in the case of land taken for the laying out of highways, on application at any time within two years after the taking of such land or other property or the doing of other injury under authority of this act; but no such application shall be made after the expiration of said two years; and no application for assessment of damages shall be made for the taking of any water, water right, or for any injury thereto, until the water is actually withdrawn or diverted by the district under authority of this act. Said district may by vote, from time to time, determine what amount or quantity of water it proposes to take and appropriate under this act; in which case any damages caused by such taking shall be based upon such amount or quantity until the same shall be increased by vote or otherwise, and in that event said district shall be liable further only for the additional damage caused by such additional taking.

The Baker's Corner Fire District of Seekonk Water Loan, Act of 1913.

Section 5. Said district, for the purpose of paying the necessary expenses and liabilities incurred under the provisions of this act, may issue from time to time bonds or notes to an amount not exceeding fifteen thousand dollars. Bonds or notes issued under authority of this act shall bear on their face the words, The Baker's Corner Fire District of Seekonk Water Loan, Act of 1913; shall be payable by such annual payments, beginning not more than one year after the respective dates thereof, as will extinguish each loan within thirty years from the date thereof; and the amount of such annual payment of any loan in any year shall not be less than the amount of the principal of said loan payable in any subsequent year. Each authorized issue of bonds or notes shall constitute a separate loan. Said bonds or notes shall bear interest at a rate not exceeding four and one half per cent per annum, payable semi-annually, and shall be signed by the treasurer of the district and countersigned by a majority of the water commissioners. The

district may sell such bonds or notes at public or private sale, upon such terms and conditions as it may deem proper, but they shall not be sold for less than their par value. The town of Seekonk may, at its annual town meeting or at a legal meeting called for the purpose, guarantee the payment of such bonds or notes.

Payment of loan.

SECTION 6. Said district shall at the time of authorizing said loan or loans provide for the payment thereof in accordance with section five of this act; and when a vote to that effect has been passed, a sum which, with the income derived from water rates, will be sufficient to pay the annual expense of operating its water works and the interest as it accrues on the bonds or notes issued as aforesaid by the district, and to make such payments on the principal as may be required under the provisions of this act, shall without further vote be assessed by the assessors of the town annually thereafter, in the same manner in which other taxes are assessed, until the debt incurred by said loan or loans is extinguished.

Collection of assessments, etc.

SECTION 7. Whenever a tax is duly voted by said district for the purposes of this act, the clerk shall send a certified copy of the vote to the assessors of the town of Seekonk, who shall proceed within thirty days thereafter to assess the same in the same manner in which town taxes are required by law to be assessed. The assessment shall be committed to the town collector, who shall collect said tax in the manner provided by law for the collection of town taxes, and shall deposit the proceeds thereof with the district treasurer for the use and benefit of said district. Said district may collect interest on overdue taxes in the manner in which interest is authorized to be collected on town taxes: *provided*, that the district at the time of voting to raise the tax shall so determine, and shall also fix a time for payment thereof.

Proviso.

First meeting.

SECTION 8. The first meeting of said district shall be called on petition of ten or more legal voters therein, by a warrant from the selectmen of the town of Seekonk, or from a justice of the peace, directed to one of the petitioners, requiring him to give notice of the meeting by posting copies of the warrant in two or more public places in the district seven days at least before the time of the meeting. The said justice of the peace, or one of the selectmen, shall preside at the meeting until a clerk is chosen and sworn, and the clerk shall preside until a moderator is chosen. After the choice of a moderator for the meeting the question of the acceptance of this act shall be submitted to the voters, and if it is ac-

cepted by a majority of the voters present and voting thereon it shall take effect, and the meeting may then proceed to act on the other articles contained in the warrant. The said first meeting shall be held within two years after the passage of this act, and this act shall become void unless the said district shall begin to distribute water to consumers within two years after the date of the acceptance of the act.

Water commissioners, election, terms, etc.

Section 9. The Baker's Corner Fire District shall, after the acceptance of this act as aforesaid, elect by ballot three persons to hold office, one until the expiration of three years, one until the expiration of two years, and one until the expiration of one year from the next succeeding annual district meeting, to constitute a board of water commissioners; and at every annual meeting thereafter one such commissioner shall be elected by ballot for the term of three years. All the authority granted to said district by this act, and not otherwise specifically provided for, shall be vested in said board of water commissioners, who shall be subject, however, to such instructions, rules and regulations as the district may by vote impose. Said commissioners shall appoint a treasurer of said district, who may be one of their number, who shall give bonds to the district in such an amount and with such sureties as may be approved by the commissioners. A majority of the commissioners shall constitute a quorum for the transaction of business. Any vacancy occurring in said board from any cause may be filled for the remainder of the unexpired term by the district at any legal meeting called for the purpose. No money shall be drawn from the district treasury on account of the water works except upon a written order of said commissioners or a majority of them.

To appoint a treasurer.

Quorum.

Vacancy.

To fix water rates, etc.

Section 10. Said commissioners shall fix just and equitable prices and rates for the use of water, and shall prescribe the time and manner of payment. The income of the water works shall be applied to defraying all operating expenses, interest charges and payments on the principal as they accrue upon any bonds, notes or scrip issued under authority of this act. If there should be a net surplus remaining after providing for the aforesaid charges, it may be used for such new construction as the water commissioners may determine upon, and in case a surplus should remain after payment for such new construction the water rates shall be reduced proportionately. No money shall be expended in new construction by the water commissioners except from the net surplus aforesaid, unless the district appropriates

To make annual report, etc.

and provides money therefor. Said commissioners shall annually, and as often as the district may require, render a report upon the condition of the works under their charge, and an account of their doings, including an account of receipts and expenditures.

By-laws, etc.

SECTION 11. Said district may adopt by-laws prescribing by whom and how meetings may be called, notified and conducted; and, upon the application of ten or more legal voters in the district, meetings may also be called by warrant as provided in section eight. Said district may also establish rules and regulations for the management of its water works, not inconsistent with this act or with the laws of the commonwealth, and may choose such other officers not provided for in this act as it may deem necessary or proper.

Penalty for pollution, etc., of water, etc.

SECTION 12. Whoever wilfully or wantonly corrupts, pollutes or diverts any water obtained or supplied under this act, or wilfully or wantonly injures any reservoir, standpipe, aqueduct, pipe or other property owned or used by said district for the purposes of this act, shall forfeit and pay to the district three times the amount of damages assessed therefor, to be recovered in an action of tort, and upon conviction of any of the above acts shall be punished by a fine not exceeding one hundred dollars or by imprisonment in jail for a term not exceeding six months.

Certain estates may be included within the district upon petition, etc.

SECTION 13. Upon the petition in writing addressed to the water commissioners by any owner of real estate in Seekonk, abutting the district as described in section one, or as subsequently enlarged under the provisions of this section, setting forth that the petitioner desires to have certain accurately described portions of his real estate included in the district, the water commissioners shall cause a duly warned meeting of the district to be called, at which meeting a majority of the voters present and voting may vote to include said petitioner's real estate as described in his petition within the district. If it be so voted the clerk of the district shall within ten days file with the town clerk of Seekonk an attested copy of said petition and vote, describing precisely the real estate added to the district; and thereupon said petitioner's real estate as described in his petition shall become and be a part of said district and shall be holden under the provisions of this act in the same manner and to the same extent as the real estate described in section one.

To have powers conferred by R. L. 32, § 59.

SECTION 14. Said district shall have the powers conferred upon fire districts by section fifty-nine of chapter

thirty-two of the Revised Laws for providing itself with equipment and for the lighting of its streets.

Section 15. The town of Attleborough is hereby authorized to sell water to said district upon such terms as may be agreed upon or to extend its water mains and to lay pipes, erect hydrants and provide such water works as may be required in said district upon such terms as may be agreed upon: *provided*, that the question of such extension of its water system shall first have been submitted to the voters of the town of Attleborough, at a town meeting duly called, at which a majority of the voters present and voting thereon shall have voted in favor thereof; and *provided, further*, that all work of extension of mains from the town of Attleborough, and all things done on the streets of said district shall be under the direction of the selectmen of the town of Seekonk.

Town of Attleborough may sell water to said district.

Provisos.

Approved March 28, 1913.

An Act to authorize the town of Russell to remove certain bodies in the old cemetery, so-called. *Chap.* 381

Be it enacted, etc., as follows:

Section 1. In order to construct a way from the state highway in the town of Russell to the Old Cemetery, so-called, in Russell village, the said town, acting by its cemetery commissioners, is hereby authorized to remove certain bodies in said Old Cemetery, in lots numbered nineteen, twenty and twenty-one, together with any monuments and stones marking the graves, and to inter the bodies in a reverent and proper manner, and properly to set up any such monuments or stones in other lots in the cemetery in which said bodies are to be interred.

Removal of bodies from certain lots in the Old Cemetery in the town of Russell.

Section 2. The provisions of chapter twenty-eight of the Revised Laws with regard to the taking of land for public parks, including all provisions for the assessment and recovery of damages on account of the removal of bodies, shall apply to the removal hereby authorized. The town may appropriate such sums of money as may be necessary to carry out the provisions of this act.

Certain provisions of law to apply.

Section 3. This act shall take effect upon its passage.

Approved March 28, 1913.

*Chap.*382 AN ACT TO AUTHORIZE THE CITY OF NORTH ADAMS TO TAKE LAND, WATER RIGHTS AND WATER COURSES FOR WATER SUPPLY PURPOSES.

Be it enacted, etc., as follows:

City of North Adams may take lands, etc., for water supply purposes.

SECTION 1. The city of North Adams, acting by its mayor and city council, may, for the purpose of supplying itself and its inhabitants with water for the extinguishment of fires and for domestic and other purposes, take by eminent domain, or acquire by purchase or otherwise, and hold any waters or water sources within the limits of said city and the water rights connected with any such waters or water sources, and also all lands, rights of way and easements necessary for holding and preserving the water and for conveying the same to any part of the city; and may erect on the lands thus taken or held proper dams, buildings, fixtures and other structures, and may make excavations, procure and operate machinery, and provide such other means and appliances as may be necessary for the establishment and maintenance of complete and effective water works; and may construct and lay conduits, pipes and other works under or over any lands, water courses, railroads, railways, or public or private ways, and along any such way, in such manner as not unnecessarily to obstruct the same; and for the purpose of constructing, maintaining and repairing such conduits, pipes and other works, and for all proper purposes of this act, the said city may, by and under the direction of the commissioner of public works of the city enter upon and dig up any such lands, ways or water courses. Said city shall not enter upon, construct or lay any conduits, pipes or other works within the location of any railroad corporation, except at such times and in such manner as it may agree upon with such corporation, or, in case of failure so to agree, as may be approved by the board of railroad commissioners.

May erect structures, lay pipes, etc.

May acquire lands used as burial grounds, etc.

SECTION 2. The city of North Adams, acting by its mayor and city council, and for the purpose of preventing the pollution or contamination of any water or water sources of the city is hereby authorized to take by eminent domain, or to acquire by purchase or otherwise any lands used as a burial ground, which may be situated along any water courses or on any watershed contiguous to any land acquired under this act, and may remove or cause to be removed from any lands so acquired under the provisions of this act the re-

mains of any of the dead and the monuments erected to their memory to lots in Southview cemetery in said city and shall pay all expenses incident to the removal of the remains and the re-erection of said monuments. The owners of said places of burial shall be entitled to receive by proper conveyance in exchange therefor burial lots in said Southview cemetery, and in such exchange the relative size, situation and value of lots so exchanged, with all improvements, shall be considered.

Notice of removal of bodies to be published.

Section 3. The city shall fix a time for the removal of the remains and monuments, and shall publish notice thereof once each week for three successive weeks in some newspaper published in the city, the last publication to be at least seven days before the time fixed for said removal.

Re-interment of bodies.

Section 4. Upon a request in writing by any relative or friend of one whose remains are to be removed, the remains may be interred and said monuments erected in any other cemetery, and the expense of the removal of such remains, for a distance not exceeding twenty miles, their re-interment and the re-erection of any monument to their memory shall be borne by the city.

Description of lands, etc., taken to be recorded.

Section 5. The city of North Adams shall within sixty days after the taking of any lands, rights of way, water rights, water sources or easements as aforesaid, file and cause to be recorded in the registry of deeds for the county within which such lands or other property are situated, a description thereof sufficiently accurate for identification, with a statement of the purpose for which the same were taken, signed by the mayor of the city.

Damages.

Section 6. The city council of the city of North Adams shall estimate and determine, as near as may be, and the city shall pay, all damages sustained by any person or corporation by the taking of any land, rights in land, rights of way, water sources, water rights or easements under the authority of this act; but any party aggrieved by such determination may have the damages assessed, and they may be recovered, in the manner provided by law when land is taken for the laying out of highways, on application at any time within one year after the taking of such land or other property, or the doing of other injury under the authority of this act; but no such application shall be made after the expiration of the said one year. No application for assessment of damages shall be made for the taking of any water or water rights, or for any injury thereto, until the water is actually withdrawn

or diverted by the city under the authority of this act, and the date of such withdrawal or diverting shall be deemed to be the date of the taking.

Act construed as amendment of chapter 186, Acts of 1883, etc.

SECTION 7. This act shall be construed as an amendment of chapter one hundred and eighty-six of the acts of the year eighteen hundred and eighty-three, and as supplementary and additional to the acts heretofore passed in relation to the rights, power and authority of the North Adams Fire District and the North Adams Water Company.

SECTION 8. This act shall take effect upon its passage.

Approved March 28, 1913.

Chap. 383 AN ACT RELATIVE TO THE OFFICE OF COMPTROLLER OF ACCOUNTS OF THE CITY OF NEWTON.

Be it enacted, etc., as follows:

1913, 108, § 1, amended.

Section one of chapter one hundred and eight of the acts of the year nineteen hundred and thirteen is hereby amended by striking out the fourth sentence, and inserting in place thereof the following: — The term of office of the first comptroller of accounts chosen hereunder shall begin whenever in the year nineteen hundred and thirteen he is elected and qualified, and shall continue for two years from the succeeding second Monday of February or until his successor is elected and qualified, — so as to read as follows: — *Section 1.* The office of comptroller of accounts of the city of Newton is hereby established. The comptroller of accounts shall have charge and oversight of the accounts and bookkeeping of the city of Newton and of the various departments thereof, and shall have such other powers and duties as the board of aldermen of the city may by ordinance prescribe. He shall be elected by the board of aldermen. The term of office of the first comptroller of accounts chosen hereunder shall begin whenever in the year nineteen hundred and thirteen he is elected and qualified, and shall continue for two years from the succeeding second Monday of February or until his successor is elected and qualified. Thereafter the term of office shall be three years from the second Monday of February, or until a successor is elected and qualified. The comptroller of accounts may be removed by vote of a majority of all the members of the board of aldermen taken by ballot. A vacancy in the office shall be filled in the same manner, and the person elected shall hold office until the end

Comptroller of accounts, election, term, etc.

of the unexpired term, unless removed as herein provided, and until his successor is elected and qualified. The office of city auditor of the city of Newton is hereby abolished.

Approved March 28, 1913.

An Act relative to the maintenance of an independent industrial school in the city of Newton. *Chap.* 384

Be it enacted, etc., as follows:

Appropriation, maintenance of Newton independent industrial school.

Section 1. The sum of three thousand five hundred thirty-six dollars and seventeen cents is hereby authorized to be paid out of the treasury of the commonwealth to the city of Newton to meet the proportion of the commonwealth for the cost of maintaining the Newton independent industrial school in that city between the first day of December, nineteen hundred and eleven and the thirtieth day of November, nineteen hundred and twelve.

Section 2. This act shall take effect upon its passage.

Approved March 28, 1913.

An Act relating to the repairing of the Coggeshall street bridge in the city of New Bedford. *Chap.* 385

Be it enacted, etc., as follows:

City of New Bedford may incur indebtedness for repair of certain bridge.

Section 1. The city of New Bedford, for the purpose of repairing and reconstructing the bridge at the foot of Coggeshall street, across the Acushnet river in that city, may incur indebtedness, beyond the limit fixed by law, to an amount not exceeding twenty-five thousand dollars, and may issue bonds, notes or scrip therefor. Such bonds, notes or scrip shall be payable within such periods, not exceeding five years from their respective dates of issue, and shall bear such rate of interest, not exceeding four per cent per annum, payable semi-annually, as the city council shall determine. Except as otherwise provided herein, the provisions of chapter four hundred and ninety of the acts of the year nineteen hundred and nine shall, so far as they may be applicable, apply to the indebtedness hereby authorized and to the securities issued therefor.

Certain provisions of law to apply.

Payment of loan.

Section 2. The city council of said city shall, at the time of authorizing said loan, provide for the payment thereof in such annual proportionate payments as will extinguish the same within the time prescribed in this act; and thereafter, without further action by the city council,

the amount required for such payments shall annually be assessed by the assessors of the city, in the same manner in which other taxes are assessed, until the debt incurred by the said loan is extinguished.

SECTION 3. This act shall take effect upon its passage.

Approved March 28, 1913.

Chap. 386 AN ACT TO PROVIDE ADDITIONAL CLERICAL ASSISTANCE FOR THE REGISTER OF PROBATE AND INSOLVENCY FOR THE COUNTY OF MIDDLESEX.

Be it enacted, etc., as follows:

R. L. 164, § 29, amended.

SECTION 1. Section twenty-nine of chapter one hundred and sixty-four of the Revised Laws is hereby amended by striking out the words "four thousand", in the fourteenth line, and inserting in place thereof the words: — seventy-five hundred, — by striking out the word "the", before the word "judge", in the fifteenth line, and inserting in place thereof the word: — a, — and by striking out the word "the", in the seventeenth line, and inserting in place thereof the word: — a, — so as to read as follows: — Of Middlesex, seventy-five hundred dollars, payable by the commonwealth upon the certificate of a judge of probate and insolvency, and two thousand dollars from said county upon the certificate of the register, countersigned by a judge of probate and insolvency.

Clerical assistance to register of probate and insolvency, Middlesex county.

Repeal.

SECTION 2. Chapter three hundred and eighty-seven of the acts of the year nineteen hundred and four and chapter three hundred and fifty-three of the acts of the year nineteen hundred and nine are hereby repealed.

SECTION 3. This act shall take effect upon its passage.

Approved March 28, 1913.

Chap. 387 AN ACT RELATIVE TO PRIMARY ELECTIONS IN THE CITY OF MALDEN.

Be it enacted, etc., as follows:

1912, 314, § 2, amended.

SECTION 1. Section two of chapter three hundred and fourteen of the acts of the year nineteen hundred and twelve is hereby amended by striking out the words "opened at twelve o'clock in the forenoon and shall be kept open until nine o'clock in the evening", in the twelfth, thirteenth and fourteenth lines, and inserting in place thereof the words: — kept open during such hours as shall be fixed by the board

of aldermen, — so as to read as follows: — *Section 2.* On the third Tuesday preceding every annual or special city election at which a mayor, or any member of the school committee or of either branch of the city council is to be elected, there shall be held a city primary election for the purpose of nominating candidates for such offices as are to be filled at such annual or special city election. No special election for the election of mayor, or of an alderman or common councilman, shall be held until after the expiration of forty days from the calling of the special city primary election, which is to be held on the third Tuesday preceding such special election. At every city primary election the polls shall be kept open during such hours as shall be fixed by the board of aldermen and, except as is otherwise provided in this act, every such city primary election shall be called by the same officers and held in the same manner as an annual city election, and polling places shall be designated, provided and furnished, official ballots, special ballots, ballot boxes, voting lists, specimen ballots, blank forms, apparatus and supplies shall be provided for every such city primary election of the same number and kind, and in the same manner, and by the same officials as at an annual city election, and the same election officers shall officiate as at an annual city election.

Primary to be held for the nomination of candidates, etc.

Section 2. Said chapter three hundred and fourteen is hereby further amended by striking out section twelve and substituting the following: — *Section 12.* The two persons receiving at a city primary election the highest number of votes for nomination for an office shall be the candidates and the only candidates for that office whose names shall be printed on the official ballots to be used at the annual or special city election for the making of nominations for which said city primary election was held, and if two or more persons are to be elected to the same office at such annual or special city election the several persons to a number equal to twice the number so to be elected receiving at such city primary election the highest number of votes for nomination for that office, or all such persons, if less than twice the number of those so to be elected, shall be the candidates and the only candidates for that office whose names shall be printed on the official ballots to be used at the annual or special city election.

1912, 314, § 12, amended.

Persons receiving highest number of votes at primary to be the candidates at election, etc.

If the primary election results in a tie vote among candidates for nomination receiving the smallest number of

Proceedings in case of tie vote.

votes which, but for the tie vote, would entitle the person receiving such number to have his name printed upon the official ballots for the election, all candidates participating in said tie vote shall have their names printed upon the official ballots, although thereby there be printed upon them candidates to a number exceeding twice the number to be elected. *Approved March 28, 1913.*

Chap. 388 AN ACT RELATIVE TO THE CHIEF OF THE FIRE DEPARTMENT OF THE TOWN OF NANTUCKET.

Be it enacted, etc., as follows:

Chief of fire department, appointment, etc.

SECTION 1. The chief engineer of the fire department of the town of Nantucket shall be appointed annually by the selectmen, and he shall have power to appoint the assistant engineers and the other members of the department.

Repeal.

SECTION 2. So much of any act as is inconsistent herewith is hereby repealed.

Time of taking effect.

SECTION 3. This act shall take effect upon its acceptance by a majority vote of the voters of the town of Nantucket present and voting thereon at any annual or at any special town meeting duly called for the purpose.

Approved March 28, 1913.

Chap. 389 AN ACT TO PROVIDE FOR THE ESTABLISHMENT AND MAINTENANCE OF A FREE EMPLOYMENT OFFICE FOR MINORS OF THE CITY OF BOSTON BY THE SCHOOL COMMITTEE OF SAID CITY.

Be it enacted, etc., as follows:

Free employment office for minors in city of Boston.

SECTION 1. There may be established and maintained by the school committee of the city of Boston an employment office for registering applications of minors residing in the city of Boston who seek employment, and of those who desire to employ such minors.

Duties of school committee.

SECTION 2. The school committee shall establish regulations respecting the conduct of the office and shall take such action as the committee deems best to promote the purposes of an employment office for minors, and to bring together such minors seeking employment and those desiring to employ them.

Taking, etc., of fees forbidden, etc.

SECTION 3. No fees, direct or indirect, shall be charged to or accepted from applicants for employment who apply at the office established hereunder, and the expense of main-

taining the same shall be charged to the appropriation for the support of schools in the city of Boston.

Section 4. This act shall take effect upon its passage.

Approved March 28, 1913.

An Act to authorize evening sessions of the superior court for naturalization purposes. *Chap.* 390

Be it enacted, etc., as follows:

Evening sessions of superior court for naturalization purposes.

Evening sessions of the superior court for naturalization purposes may be held in each county except the county of Suffolk.

Approved March 28, 1913.

An Act relative to the use of rooms or halls in school buildings. *Chap.* 391

Be it enacted, etc., as follows:

Use of public school property for certain purposes authorized.

Section 1. For the purpose of promoting the usefulness of the public school property the school committee of any city or town may conduct such educational and recreation activities in or upon school property under its control, and shall allow the use thereof by individuals and associations, subject to such regulations as the school committee shall establish, for such educational, recreation, social, civic, philanthropic and similar purposes as the committee may deem to be for the interest of the community, provided that no admission fee is charged and that such use shall not interfere or be inconsistent with the use of the premises for school purposes.

Section 2. This act shall not apply to the city of Boston.

Approved March 28, 1913.

An Act relative to the distribution of the Blue Book. *Chap.* 392

Be it enacted, etc., as follows:

Distribution of Blue Book.

Section 1. Such copies of the volume provided for by section one of chapter nine of the Revised Laws, and known as the Blue Book, as may remain in the office of the secretary of the commonwealth after the first day of January in any year may, in the discretion of the secretary, be delivered, upon application, to members of the general court for gratuitous distribution.

Section 2. This act shall take effect upon its passage.

Approved March 28, 1913.

Chap. 393 AN ACT TO ENCOURAGE MANUFACTURING AND SHIPPING IN THE CITY OF CAMBRIDGE.

Be it enacted, etc., as follows:

Certain land taken by city of Cambridge may be used for shipping purposes, etc.

SECTION 1. The city of Cambridge, by vote of its city council, is hereby authorized to alter the use of all or any part of such land taken by it under authority of chapter three hundred and forty-one of the acts of the year eighteen hundred and ninety-two, and by chapter three hundred and thirty-seven of the acts of the year eighteen hundred and ninety-three, as borders on the Charles river between Lechmere canal and Broad canal, may maintain a public dock or wharf thereon and in the manner hereinafter specified may lease said frontage or any part of it for wharves, terminals, and other commercial purposes connected with shipping, for periods not exceeding twenty years.

Management of property.

SECTION 2. The mayor of the city of Cambridge is hereby empowered to authorize the directors of the port of Boston to manage this property on behalf of the city of Cambridge by making such lease or leases and by paying over the net rentals to the city treasurer of Cambridge, and the directors of the port of Boston are hereby authorized to undertake such management as part of their duties in controlling the entire water front of Boston harbor, without receiving additional compensation for this service from the city of Cambridge. The mayor of the city of Cambridge is also empowered, if he prefer so to do, to appoint to take charge of the management of said property, instead of the directors of the port of Boston, an industrial commission to consist of not more than three citizens of Cambridge, for such terms of office and for such compensation, if any, as the city council of the city of Cambridge shall determine.

Approved March 28, 1913.

Chap. 394 AN ACT TO FURTHER SEPARATE THE CITY ELECTION FROM THE STATE ELECTION IN THE CITY OF HAVERHILL.

Be it enacted, etc., as follows:

1908, 574, § 1, amended.

SECTION 1. Chapter five hundred and seventy-four of the acts of the year nineteen hundred and eight is hereby amended by striking out section one and inserting in place thereof the following: — *Section 1.* The annual city election of the city of Haverhill shall be held on the second Tuesday

Date of city elections in Haverhill.

next following the second Monday of December. Every special city election shall be held on a Tuesday, but an election held in consequence of a resignation or of a petition duly filed in accordance with the provisions of this act less than ninety days and more than forty days previous to the second Tuesday next following the second Monday of December in any year, shall be held on the date of the annual city election for that year.

Repeal. Section 2. All acts and parts of acts inconsistent herewith are hereby repealed.

Act to be submitted to voters, etc. Section 3. This act shall be submitted for acceptance to the voters of the city of Haverhill at the state election in the current year. The vote shall be taken by ballot in answer to the question "Shall an act passed by the general court in the year 1913, entitled 'An Act to further separate the city election from the state election in the city of Haverhill', be accepted?", which shall be printed on the official ballot; and if a majority of the voters present and voting thereon vote in the affirmative, the act shall take effect; otherwise, it shall be void. *Approved March 28, 1913.*

An Act to authorize the county of Barnstable to build or reconstruct a bridge over Bass river between the towns of Yarmouth and Dennis. *Chap.* 395

Be it enacted, etc., as follows:

Construction, etc., of bridge over Bass river. Section 1. The county commissioners of the county of Barnstable are hereby authorized and directed to build a new bridge or to reconstruct the present upper bridge over Bass river, so-called, between the towns of Dennis and Yarmouth, with suitable approaches thereto, subject to the provisions of chapter ninety-six of the Revised Laws and of all acts in amendment thereof.

Cost to be paid by county in first instance. Section 2. The cost of constructing or reconstructing the said bridge and the approaches thereto, with all the necessary expenses attending the same, shall be paid in the first instance by the county of Barnstable; and the said county is hereby authorized to borrow upon its notes or other obligations such sum, not exceeding fourteen thousand dollars, as will enable it to comply with the provisions of this act.

Apportionment of cost. Section 3. As soon after the completion of the bridge as the whole amount of the costs and expenses incurred

is ascertained, the county commissioners shall assess one half of the cost upon the county and one fourth each upon the said towns of Dennis and Yarmouth, and the said towns are hereby required to pay to the said county their respective proportions as herein provided. Each of the said towns may borrow upon its notes or other obligations such sum not exceeding the said one fourth as the town may deem necessary to enable it to comply with the provisions of this act.

Liability for defects, etc.

SECTION 4. The towns of Dennis and Yarmouth shall be severally liable for any defects in that part of the bridge situated within their respective limits, and for none other.

Supervision of construction, etc.

SECTION 5. The construction and maintenance of the said bridge shall be under the supervision of said county commissioners and the general plans and specifications shall be subject to the approval of the boards of selectmen of the towns of Yarmouth and Dennis, and the towns of Dennis and Yarmouth shall severally reimburse the county of Barnstable for one fourth of the annual cost of repairing the said bridge.

Repairs.

SECTION 6. This act shall take effect upon its passage.

Approved March 28, 1913.

Chap. 396 AN ACT PROVIDING FOR THE PAYMENT BY TOWNS FOR THE TRANSPORTATION OF PUPILS TO OUTSIDE HIGH SCHOOLS.

Be it enacted, etc., as follows:

R. L. 42, § 3, etc., amended.

SECTION 1. Section three of chapter forty-two of the Revised Laws, as amended by chapter four hundred and thirty-three of the acts of the year nineteen hundred and two, and by chapter five hundred and thirty-seven of the acts of the year nineteen hundred and eleven, is hereby further amended by adding at the end thereof the following paragraph: — A town of less than five hundred families or householders, in which a public high school or public school of corresponding grade is not maintained, shall, through its school committee, when necessary, provide for the transportation of any child who resides in said town and who, with the previous approval of the school committee of the town, attends the high school of any other town or city, and shall pay for the expense of such transportation a sum not exceeding one dollar and fifty cents per week during the time of actual attendance of such child in the high school. If any town fails to provide such transportation, it shall be liable in an

Transportation of pupils in towns having no high school, etc.

action of contract, to the parent or guardian of a child who has been furnished with such transportation for such amounts, not exceeding one dollar and fifty cents per week, as the parent or guardian has paid for the same. A town which has expended for the support of its public schools for the preceding year from the proceeds of local taxation an amount not less than four and less than five dollars per thousand dollars of valuation shall receive from the treasury of the commonwealth one half of the amount actually expended for transportation under the provisions of this act; and a town which has expended from the proceeds of local taxation for the support of its public schools for the preceding year an amount equal to at least five dollars per thousand of valuation shall receive from the treasury of the commonwealth the whole transportation under the provisions of this act.

Time of taking effect.

Section 2. This act shall take effect upon the first day of July in the year nineteen hundred and thirteen.

Approved March 28, 1913.

An Act to authorize the city of Boston to pay a pension to William F. Seaver. *Chap.* 397

Be it enacted, etc., as follows:

City of Boston may pay a pension to William F. Seaver.

Section 1. The city council of the city of Boston, with the approval of the mayor, is hereby authorized to pay to William F. Seaver an annual sum equal to one half of the annual compensation which he received from the said city as a call man in the fire department of the city at the time of his retirement from the department in December, nineteen hundred and five; the said payment by the city to date from the first day of January, in the year nineteen hundred and thirteen. The said Seaver served as a call substitute in the department for nine years, and as a call man for thirty-one years, and resigned on account of injuries received at a fire.

Section 2. This act shall take effect upon its passage.

Approved March 28, 1913.

An Act relative to printing proposals for contracts with the city of Beverly. *Chap.* 398

Be it enacted, etc., as follows:

1910, 542, § 45, amended.

The second sentence of section forty-five of chapter five hundred and forty-two of the acts of the year nineteen hundred and ten is hereby amended by inserting after the word

"printed", in the ninth line, the words: — three times, — and by striking out the words "three week days", in the tenth line, and inserting in place thereof the words: — ten days, — so that the said sentence will read as follows: — No such contract shall be made until proposals shall have been invited by an advertisement printed three times in one or more newspapers for at least ten days before the time designated therein for the closing of bids, unless, in the case of any particular contract, the mayor shall in writing recommend that the same be not advertised.

Advertisement of contracts.

Approved March 28, 1913.

Chap. 399 AN ACT TO AUTHORIZE THE CITY OF BOSTON TO PAY AN ANNUITY TO THE WIDOW OF ROBERT A. RITCHIE.

Be it enacted, etc., as follows:

City of Boston may pay annuity to Henrietta A. Ritchie.

SECTION 1. The city of Boston is hereby authorized to pay an annuity of not more than three hundred dollars to Henrietta A. Ritchie, widow of Robert A. Ritchie, so long as she remains unmarried. The said Robert A. Ritchie, while in the discharge of his duties as a member of the fire department of the city received injuries, or contracted a disease, which injuries or disease resulted in his death. The fire commissioner may from time to time order the said annuity to be reduced.

Time of taking effect.

SECTION 2. This act shall take effect upon its acceptance by the city council of said city.

Approved March 28, 1913.

Chap. 400 AN ACT TO AUTHORIZE THE CITY OF BROCKTON TO ESTABLISH AND MAINTAIN A DENTAL CLINIC FOR THE SCHOOL CHILDREN OF THAT CITY.

Be it enacted, etc., as follows:

Dental clinic for school children in city of Brockton.

SECTION 1. The city of Brockton is hereby authorized to appropriate annually, beginning with the current year, a sum not exceeding five thousand dollars, to be expended by the school committee for the establishment and maintenance of a dental clinic for school children in the said city, upon such terms and conditions and under such regulations as the school committee shall from time to time prescribe.

SECTION 2. This act shall take effect upon its passage.

Approved March 28, 1913.

An Act relative to evidence as to the market value of real estate taken or injured under authority of law. *Chap.* 401

Be it enacted, etc., as follows:

Introduction of assessors' valuation as evidence in suits for recovery of damages to real estate, etc.

Section 1. The valuation made by the assessors of a city or town for the purposes of taxation for the three years next preceding the date of the taking of or injury to real estate by the commonwealth or by a county, city or town under the authority of any law may, in a suit to recover the damages to such real estate, the whole or part of which is so taken or injured, be introduced as evidence of the fair market value of the real estate by any party to the suit: *provided, however*, that if the valuation of any one year is so introduced, the valuations of all three years shall be introduced in evidence.

Proviso.

Not to apply in certain cases.

Section 2. This act shall not apply to any case in which real estate was taken prior to the passage of this act.

Section 3. This act shall take effect upon its passage.

Approved March 28, 1913.

An Act to provide for remodeling and equipping the buildings of the county of Middlesex in the city of Cambridge. *Chap.* 402

Be it enacted, etc., as follows:

Alteration, etc., of county buildings in city of Cambridge.

Section 1. For the purpose of providing, in accordance with the provisions of chapter thirty-five of the Revised Laws, fireproof rooms, safes or vaults, and for furnishing such rooms with fittings of non-combustible material, the county commissioners of the county of Middlesex may alter, remodel, furnish and equip the buildings of said county in the city of Cambridge.

Payment of expense.

Section 2. To meet the expenses incurred under the provisions of this act, the county commissioners may borrow from time to time on the credit of the county a sum not exceeding twenty-eight thousand dollars, and may issue the bonds, notes or scrip of the county therefor, payable at a date not later than the first day of December in the year nineteen hundred and twenty-seven, and bearing interest, payable semi-annually, at a rate not exceeding four per cent per annum. Such bonds, notes or scrip shall be payable in such annual proportionate payments as will extinguish the

same within the time prescribed in this act, and they shall not be sold for less than their par value.

SECTION 3. This act shall take effect upon its passage.

Approved March 28, 1913.

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*Chap.*403 AN ACT TO RATIFY CERTAIN ACTION OF THE REGISTRARS OF VOTERS IN THE TOWN OF ADAMS.

Be it enacted, etc., as follows:

Registration of certain voters legalized.

SECTION 1. The action of the board of registrars of voters in the town of Adams in registering certain voters in that town on the twenty-second day of February in the current year shall not be invalid because of the fact that the said day was a legal holiday.

SECTION 2. This act shall take effect upon its passage.

Approved March 28, 1913.

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*Chap.*404 AN ACT RELATIVE TO TRESPASSING UPON THE LAND OF CERTAIN PUBLIC INSTITUTIONS.

Be it enacted, etc., as follows:

Provisions of law relative to trespassing extended to certain public institutions.

SECTION 1. The provisions of section one hundred and twelve of chapter two hundred and eight of the Revised Laws, and of any amendments thereof, providing a penalty for trespassing upon land of certain institutions, are hereby extended and made applicable to the lands of Massachusetts training schools, state charitable institutions and the state farm.

SECTION 2. This act shall take effect upon its passage.

Approved March 28, 1913.

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*Chap.*405 AN ACT TO AUTHORIZE THE CITY OF QUINCY TO CHANGE ITS METHOD OF SEWER ASSESSMENT.

Be it enacted, etc., as follows:

Method of making sewer assessments in city of Quincy.

SECTION 1. The city council of the city of Quincy is hereby authorized to amend, repeal or rescind any or all existing orders or ordinances of the city which establish a method of sewer assessment and by which assessments for sewers have been made, and the city is further authorized to adopt and establish by ordinance or by order any method of sewer assessment now authorized by law, and to make by its city council assessments and reassessments hereunder.

But nothing herein contained shall be held to authorize the reassessment of any assessment heretofore made.

Section 2. This act shall take effect upon its passage.

Approved March 28, 1913.

An Act to incorporate the north leverett cemetery association. *Chap.* 406

Be it enacted, etc., as follows:

North Leverett Cemetery Association incorporated.

Section 1. Dwight L. Graves, John W. Dickinson, Gustavus V. Gowen, Allen H. Ingraham and Emmet W. Buckmaster, their associates and successors, are hereby made a corporation by the name of the North Leverett Cemetery Association, for the purpose of acquiring, maintaining and improving as cemeteries the lands hereinafter described, with all the powers and privileges and subject to all the general laws now or hereafter in force applicable to cemetery corporations.

May acquire certain burial grounds.

Section 2. The said corporation is hereby authorized to take by right of eminent domain, or to acquire by purchase or otherwise, the three burial grounds situated in that part of the town of Leverett called North Leverett, on the Jackson Hill road, the Chestnut Hill road and at Moore's corner, respectively.

Membership.

Section 3. All persons now or hereafter owning lots or any interest in lots in said cemeteries may become members of the corporation on application to the secretary, and when any person shall cease to be the proprietor of a lot, or of an interest in a lot, in the lands of the corporation he shall cease to be a member thereof.

Proceeds of sales of lots, etc.

Section 4. The net proceeds of sales of lots in the lands held by the said corporation, and any bequests made to it, shall be applied to the preservation, improvement, embellishment, protection or enlargement of said cemeteries, and to paying the incidental expenses thereof, and to no other purpose.

Gifts, grants, etc.

Section 5. The said corporation is hereby authorized to take and hold any grant, gift or bequest of property, upon trust, and to apply the same, or the income thereof, to the improvement, embellishment, protection or enlargement of said cemeteries, or of any lot therein, or for the erection, repair, preservation or removal of any monument, fence or other structure therein, or for the planting or cultivation of trees, shrubs or plants in or around any lot, or for improving

said premises in any manner consistent with the object of the corporation, according to the terms of such grant or bequest.

Officers, powers and duties, etc.

SECTION 6. The said corporation may by its by-laws provide for such officers as may be necessary, and may define their powers and duties, and may also provide for the care and management of the said cemeteries and for the sale of lots therein, and for the management of any funds which the corporation may hold, and for any other matters incident to the purposes of the corporation.

SECTION 7. This act shall take effect upon its passage.

Approved March 28, 1913.

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*Chap.*407 AN ACT TO AUTHORIZE THE CITY OF CAMBRIDGE TO PAY A SUM OF MONEY TO THE WIDOW OF JEREMIAH F. DONOVAN.

Be it enacted, etc., as follows:

City of Cambridge may pay a sum of money to Ellen F. Donovan.

SECTION 1. The city of Cambridge is hereby authorized to pay to Ellen F. Donovan, widow of Jeremiah F. Donovan, a sum of money equal to the amount of salary to which said Jeremiah F. Donovan would have been entitled as an assessor of the said city had he lived to complete his term of service.

SECTION 2. This act shall take effect upon its passage.

Approved March 28, 1913.

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*Chap.*408 AN ACT RELATIVE TO GIVING NOTICE TO VOTERS IN CITIES OF REFERENDUM MEASURES.

Be it enacted, etc., as follows:

Copy of proposed law or amendment to constitution to be sent to voters in cities.

SECTION 1. Whenever any proposed law, or amendment to the constitution, is to be placed upon the ballot at any election to be voted upon by the voters taking part in such election, it shall be the duty of the city clerk in every city where the proposed law or amendment is to be voted upon, except as hereinafter provided, to cause to be sent to each of the registered voters in his city entitled to vote thereon a copy of the proposed law or amendment of the constitution, with the statement that the proposed law or amendment is to be voted on at said election.

Statement of general purport of law, etc., may be substituted.

SECTION 2. Upon a vote of the city council of any city, with the approval of the mayor, there may be substituted for a copy of such proposed law or amendment a statement of the general purport of the proposed law or amendment, which

statement shall be prepared by the city solicitor of the city and shall be approved by the mayor and city council.

Time of sending.

Section 3. All copies or statements sent out under the provisions of this act shall be sent not less than seven days and not more than twenty-one days before the election at which said matter is to be voted upon.

Provisions of act may be suspended, etc.

Section 4. By vote of the city council of any city, with the approval of the mayor, the provisions of this act may be suspended and made inapplicable as to a particular proposed law or constitutional amendment.

Section 5. This act shall take effect upon its passage.

Approved March 29, 1913.

An Act relative to the auditing by the bank commissioner of accounts of trust companies. *Chap.* 409

Be it enacted, etc., as follows:

Examination of accounts of trust companies.

Section 1. The bank commissioner is hereby authorized, when so requested by vote of a majority of the directors or by the stockholders' examining committee of any trust company in the commonwealth, to make a thorough examination and audit of the books, securities, cash, assets, liabilities, income and expenditures of the company, for such period as the directors or committee may request or as the commissioner may prescribe. The bank commissioner may avail himself of such assistance from the officers and employees as he may deem proper. The expense of the audit shall be borne by the trust company.

Report to be made to bank commissioner, etc.

Section 2. The person in charge of the examination shall render to the commissioner a report of his findings, in such form as the commissioner may prescribe, and a copy thereof shall be furnished to the directors or to the stockholders' examining committee of the company within ten days after the original has been submitted to the commissioner, together with a notice of the amount of the fee to be paid, which shall be due and payable within thirty days after the date of the notice. Upon the failure of any such corporation to pay the required fee within the time prescribed herein the bank commissioner shall report the facts to the attorney-general, who shall immediately bring an action for the recovery of the fee.

Additional assistance.

Section 3. Said commissioner, in order to carry out the provisions of this act, is hereby authorized to employ such

additional assistance, subject to the approval of the governor and council, as he may deem necessary.

Disposition of moneys collected.

SECTION 4. All moneys collected and received by the bank commissioner under the provisions of this act shall be paid into the treasury of the commonwealth.

Time of taking effect.

SECTION 5. This act shall take effect on the first day of January, nineteen hundred and fourteen.

Approved March 29, 1913.

Chap. 410 AN ACT RELATIVE TO THE GRANTING OF CERTAIN CERTIFICATES TO PHARMACISTS.

Be it enacted, etc., as follows:

R. L. 100, § 21, etc., amended.

SECTION 1. Section twenty-one of chapter one hundred of the Revised Laws, as amended by chapter one hundred and ninety of the acts of the year nineteen hundred and seven, is hereby further amended by striking out the words "or a certificate of fitness", in the second and third lines, so as to read as follows: — *Section 21.* Druggists and apothecaries having a sixth class license may sell pure alcohol for medicinal, mechanical or chemical purposes without a physician's prescription, the said sales to be recorded in the manner provided for in section twenty-six; and wholesale druggists and apothecaries may also sell liquor of any kind, not to be drunk on the premises, under a license of the fourth class.

Sale of intoxicating liquor by druggists, etc.

R. L. 100, § 22, amended.

SECTION 2. Section twenty-two of said chapter one hundred is hereby amended by striking out the words "of fitness", in the eighth line, so as to read as follows: — *Section 22.* No license for the sale of spirituous or intoxicating liquor, except of the sixth class, shall be granted to retail druggists or apothecaries. One or more licenses of the sixth class shall be granted annually by the licensing board of cities, or by the mayor and aldermen of cities having no such board, or by the selectmen of towns, to retail druggists or apothecaries who are registered pharmacists actively engaged in business on their own account, upon presentation to the licensing board of the certificate prescribed by the following section, if it appears that the applicant is a proper person to receive such license, and is not disqualified to receive it under the provisions of sections fifty-three and fifty-four. A registered pharmacist who owns stock of the actual value of at least five hundred dollars in a corporation which has been incorporated for the purpose of carrying on the drug business, and

Licenses to druggists, etc.

who conducts in person the business of a store of such corporation, shall be considered as actively engaged in business on his own account and as qualified to receive a license for such store. *Approved March 29, 1913.*

An Act relative to supplying physicians and nurses for the families of members of fraternal benefit societies. *Chap.* 411

Be it enacted, etc., as follows:

Section 1. The last sentence of the third paragraph of division *b* of section twenty-nine of chapter six hundred and twenty-eight of the acts of the year nineteen hundred and eleven is hereby amended by adding at the end thereof the words: — and for their immediate families, — so that the said sentence will read as follows: — Any such organization may also furnish physicians and nurses for its members and for their immediate families. 1911, 628, § 29, amended. May furnish physicians, etc., for members, etc.

Section 2. This act shall take effect upon its passage. *Approved March 29, 1913.*

An Act relative to the construction of a new bridge over Belle Isle Inlet between the city of Boston and the town of Winthrop. *Chap.* 412

Be it enacted, etc., as follows:

Section 1. The city of Boston is hereby authorized and directed within two years after this act takes effect, subject to the provisions of this act and of chapter ninety-six of the Revised Laws, of all amendments thereof and of all other general laws which may be applicable, to remove the existing bridge and lay out and construct a new highway bridge over and across Belle Isle Inlet, so-called, from Main street in the town of Winthrop to Saratoga street in the city of Boston, substantially replacing the present bridge over said Belle Isle Inlet connecting the city of Boston and the town of Winthrop, at a total expense not exceeding fifty-five thousand dollars, exclusive of all approaches. The bridge shall be constructed without a draw, and shall be of such width, not less than fifty feet for the exclusive use of the public travel, grade, material, and construction, and shall be constructed at such place and between such points as the mayor of the city of Boston and the selectmen of the town of Winthrop, with Construction of new bridge over Bell Isle Inlet.

the approval of the directors of the port of Boston, shall approve and determine. The directors of the port of Boston shall authorize such occupation of land and flats and such filling and dredging as they may deem necessary for the proper construction of the bridge, and no compensation for the displacement of tidewater or for occupying any land or flats of the commonwealth shall be required of the city of Boston or of the town of Winthrop, or either of them.

Term "bridge" construed, etc.

SECTION 2. The word "bridge", as used in this act, and the structure the cost of which is to be apportioned between said city and said town, as hereinafter provided, shall be deemed to be that part of said bridge, structure or highway between the mean highwater mark of Belle Isle Inlet on the shore of the said city and the mean highwater mark of Belle Isle Inlet on the shore of said town; and the city of Boston, at its own sole expense, at or before the completion of said bridge, shall construct and provide all necessary and proper approaches to said bridge within the city of Boston up to said mean highwater mark, and shall assume and be liable for all damages, if any, caused by the laying out and construction of the bridge, or its approaches, or the taking of land or easements therefor, or the abandonment of the present bridge with respect to that territory lying westerly of the said mean highwater mark on the Boston shore; and the town of Winthrop, at its own sole expense, at or before the completion of said bridge, shall construct and provide all necessary and proper approaches to said bridge within the town of Winthrop up to said mean highwater mark, and shall assume and be liable for all damages, if any, caused by the laying out and construction of said bridge, or its approaches, or the taking of land or easements therefor, or the abandonment of the present bridge with respect to that territory lying easterly of said mean highwater mark on the Winthrop shore.

Construction of approaches, etc.

Taking of land, etc.

SECTION 3. The city of Boston is hereby authorized to take for the purpose of constructing said bridge any land, flats or easements of any person or corporation lying between the respective lines of mean highwater mark of Belle Isle Inlet; and, in making such taking, shall proceed under the same laws, so far as they may be applicable, which govern the laying out of highways in the city of Boston with like remedies to all parties interested, and all damages to property caused by said taking shall be paid in the first instance by the city of Boston.

Section 4. The city of Boston and the town of Winthrop in the construction of said approaches and in the laying out, altering, relocating, change of grade, or abandonment within their respective territories of so much of the streets and ways as may be made necessary by the construction of said bridge, shall proceed under the same laws, so far as they are applicable, which govern the laying out of highways in said city and town, respectively, under the provisions of law authorizing the assessment of betterments, and with like remedies to all parties interested. The city of Boston and the town of Winthrop shall respectively pay all damages to property within their respective territories caused by the laying out and construction of the approaches to said bridge, to be recovered in the manner provided by law for highway damages in said city and town respectively.

Work to be done under certain provisions of law.

Damages.

Section 5. The cost and expense incurred in the laying out and construction of said bridge shall, in the first instance, be paid by the city of Boston, and the city is hereby authorized to appropriate by loan or otherwise such sum or sums of money as may be necessary therefor, not exceeding fifty-five thousand dollars, and to issue notes therefor bearing interest at a rate not exceeding four per cent per annum, payable semi-annually. The cost and expense of removing and changing the location of the water pipes owned by the city of Boston shall be assumed in full by the said city and shall not be included in the cost of said bridge. The whole cost of the construction of said bridge, including any sums paid as damages for the taking of land or other rights for the construction of the same, shall not exceed the sum of fifty-five thousand dollars, and no money shall be expended or any contract made or entered into or indebtedness incurred for the purposes aforesaid until the plan and specifications for the bridge and any proposed contract for the construction of the same shall be approved by the mayor of the city of Boston and the selectmen of the town of Winthrop.

Expense to be paid by city of Boston in first instance.

Section 6. Upon the completion of said bridge, the city of Boston shall file in the office of the town clerk of the town of Winthrop a detailed statement, certified by its proper officers, of the total cost of said bridge and the amount of interest paid on any money borrowed under the provisions of this act, for the construction of said bridge and within sixty days after the filing of said statement in the office of the town clerk of Winthrop, as aforesaid, the town of Winthrop shall repay to the city of Boston as its proportionate

Apportionment of cost.

part of the expense and cost of construction of the bridge such sum of money as will amount to forty per cent of the total cost; and the town of Winthrop shall thereupon become liable to the city of Boston for the said proportion of the cost of the bridge, to be recovered in an action of contract. The town of Winthrop, for the purpose of paying the necessary expense and liabilities incurred under this act, is hereby authorized to incur indebtedness, outside the limit fixed by law, and to borrow such sum or sums of money as may be necessary therefor, and to issue notes therefor payable within a period not exceeding twenty years from the date of the note first issued, bearing interest at a rate not exceeding four per cent per annum, payable semi-annually, and the town shall, at the time of authorizing the said loan or any part thereof, provide for the payment thereof in such annual payments as will extinguish the same within the time prescribed by this act.

Liability for defects, etc.

Section 7. Upon the completion of the bridge, the mayor of the city of Boston shall cause notice thereof to be served upon the selectmen of the town of Winthrop, and thereafter the care and superintendence of such part of the said highway, bridge and approaches as lies easterly of that point of the bridge which is midway between the respective highwater marks of said Belle Isle Inlet shall devolve upon the town of Winthrop, and the said town shall thereupon become liable for all defects in said part of said highway, bridge and approaches in like manner as for defects in town ways; and the care and superintendence of such part of said highway, bridge and approaches as lies westerly of said point on said bridge which is midway between the respective highwater marks of said Belle Isle Inlet shall devolve upon the city of Boston, and the city shall thereupon become liable for all defects in said last mentioned part of said highway, bridge and approaches in like manner as for defects in streets and highways in the city of Boston.

Street railway location.

Section 8. In case any street railway is granted a location upon the said bridge, it shall pay into the treasury of the city of Boston and the town of Winthrop, respectively, in the proportions stated in section six of this act, as a part of the expense of the construction of said bridge, a sum of money amounting to fifteen per cent of the said expense, that is to say, sixty per cent of fifteen per cent of said expense to the city of Boston and forty per cent of fifteen per cent of

said expense to the town of Winthrop: *provided, however,* that no street railway shall be granted any location over said bridge without the joint consent of the respective authorities of the city of Boston and the town of Winthrop invested with the power of granting such locations; and *provided, further,* that no such location shall be granted upon said bridge except upon the condition herein set forth and the further condition that said company shall enter into an agreement with said city and said town, respectively, to keep that part of the roadway on said bridge lying between the tracks of the company and eighteen inches outside thereof on both sides of said track in reasonable repair and safe for the public travel. Provisos.

SECTION 9. All acts and parts of acts inconsistent herewith are hereby repealed. Repeal.

SECTION 10. This act shall take effect upon its acceptance by the city council, with the approval of the mayor of the city of Boston, and upon its acceptance by vote of the town of Winthrop at a legal meeting duly called for the purpose; otherwise, it shall not take effect, and for the purpose of being submitted to said city and said town as aforesaid, this act shall take effect upon its passage. Time of taking effect.

Approved March 29, 1913.

AN ACT RELATIVE TO THE SALE OF INTOXICATING LIQUORS BY REGISTERED PHARMACISTS. *Chap.* 413

Be it enacted, etc., as follows:

SECTION 1. In any city or town in which licenses for the sale of intoxicating liquors of the first five classes are not granted, registered pharmacists to whom a certificate of fitness has been issued as provided for by section two of this act, may sell pure alcohol for medicinal, mechanical or chemical purposes without a physician's prescription, such sales to be recorded in the manner provided for in section twenty-six of chapter one hundred of the Revised Laws, and may sell intoxicating liquors upon the prescription of a registered physician practising in such city or town, provided that the prescription is dated, contains the name of the person prescribed for, and is signed by the physician. All such prescriptions shall be retained and kept on file in a separate book by the pharmacist filling the same, and shall not be filled a second time. Such prescription book shall be open Sale of alcohol by pharmacists regulated.

at all times to the inspection provided for in section twenty-seven of chapter one hundred of the Revised Laws.

Certificates of fitness.

SECTION 2. The board of registration in pharmacy may, upon the payment by each applicant of a fee of not more than five dollars, issue to registered pharmacists certificates of fitness. Such certificates of fitness shall be subject to suspension or revocation by the board of registration in pharmacy, or by the licensing authorities of such cities and towns.

Penalty.

SECTION 3. Whoever violates any provision of this act shall be punished by a fine of not less than fifty nor more than five hundred dollars, or by imprisonment for not less than one month nor more than six months, or by both such fine and imprisonment.

Repeal.

SECTION 4. Chapter two hundred and eighty-one of the acts of the year nineteen hundred and six and all acts and parts of acts inconsistent herewith are hereby repealed.

Approved March 29, 1913.

Chap. 414 AN ACT TO ESTABLISH THE SALARIES OF THE JUSTICE AND CLERK OF THE POLICE COURT OF WILLIAMSTOWN.

Be it enacted, etc., as follows:

Salaries established.

SECTION 1. The salary of the justice of the police court of Williamstown, and the salary of the clerk of said court, shall be twelve hundred dollars and seven hundred and twenty dollars a year, respectively.

Repeal.

SECTION 2. So much of Class I of section one of chapter four hundred and fifty-three of the acts of the year nineteen hundred and four, as amended by section two of chapter four hundred and forty-three of the acts of the year nineteen hundred and five, and by section three of chapter one hundred and twenty-eight of the acts of the year nineteen hundred and seven, as is inconsistent herewith is hereby repealed.

SECTION 3. This act shall take effect upon its passage.

Approved March 29, 1913.

Chap. 415 AN ACT RELATIVE TO THE USE OF CERTAIN MOTOR BOATS IN THE WATERS OF THE TOWN OF PROVINCETOWN.

Be it enacted, etc., as follows:

Registration of motor boats used in the

SECTION 1. It shall be unlawful to use or keep in the waters of the town of Provincetown any boat of less than

five tons, propelled by any mechanical power or by any power other than muscular power or the power of sails, and used in the fishing business, unless the same is duly registered in accordance with such regulations as may be made by the selectmen of the town, in addition to the regulations made herein. Every boat so registered shall carry its registered number painted on each side of the bow, plainly visible, in figures not less than two inches long. waters of the town of Provincetown.

Section 2. Whoever uses a boat in violation of the provisions of this act shall be punished by a fine of not more than fifty dollars for each offence. Penalty.

Section 3. This act shall not apply to boats owned by non-residents of Provincetown unless they are regularly kept or used in the waters of the said town. Not to apply in certain cases.

Approved March 29, 1913.

An Act relative to the certification of town notes by the director of the bureau of statistics. *Chap.* 416

Be it enacted, etc., as follows:

Section 1. The director of the bureau of statistics, for the purpose of certifying a note under the provisions of chapter six hundred and sixteen of the acts of the year nineteen hundred and ten and amendments thereof, may construe a note to have been duly issued if made in accordance with the provisions of said act and amendments thereof, or if made in accordance with any law which does not require a vote of the town, and he may certify any such note on any date not earlier than three days prior to the date of issue as it appears on the note. Certification of certain town notes.

Section 2. This act shall take effect upon its passage.

Approved March 29, 1913.

An Act to authorize the metropolitan park commission to appoint a harbor master and assistant harbor masters for the Charles river basin. *Chap.* 417

Be it enacted, etc., as follows:

Section 1. The metropolitan park commission may appoint a harbor master and assistant harbor masters from its police force who shall respectively have and exercise within the Charles river basin, as defined by chapter five hundred and twenty-four of the acts of the year nineteen Harbor master and assistants for Charles river basin, appointment, etc.

hundred and nine and acts in addition thereto and in amendment thereof, all the powers and authority which now appertain by law to the offices of harbor master and assistant harbor masters for the port of Boston appointed by the police commissioner of the city of Boston. Said commission may require such further duties of these officers, including the duties of officers and members of the police force appointed by said commission, not inconsistent with the provisions of law, as the commission may deem expedient.

Compensation.

SECTION 2. The harbor master and assistant harbor masters appointed hereunder shall receive the pay which may be established for the grade or rank which they respectively hold in the police force of said commission.

SECTION 3. This act shall take effect upon its passage.

Approved March 29, 1913.

Chap. 418 AN ACT TO PROVIDE FOR THE APPOINTMENT OF A RESERVE POLICE FORCE IN THE TOWN OF PEABODY.

Be it enacted, etc., as follows:

Reserve police force for town of Peabody established.

SECTION 1. The selectmen of the town of Peabody may from time to time, as authorized by the town, and under such rules as the civil service commissioners prescribe, appoint suitable persons to constitute a reserve police force for said town.

Number of members.

SECTION 2. One member of said reserve force shall be appointed for every three members of the regular police force at the time of the passage of this act, and one may be added after each increase of three in the regular police force.

Appointment to regular force, etc.

SECTION 3. All appointments upon the regular police force of said town shall be made from the reserve police force, under such rules as the civil service commissioners may prescribe; and service on the reserve police force for not less than six months shall be deemed to be equivalent to the probationary period now required by the rules of the said commissioners.

Compensation.

SECTION 4. The members of the said reserve police force shall, when on duty, be paid by the town such compensation, not exceeding two dollars and seventy-five cents a day, as the selectmen may prescribe.

SECTION 5. This act shall take effect upon its passage.

Approved March 29, 1913.

An Act to provide clerical assistance for the treasurer of the county of Hampshire. *Chap.* 419

Be it enacted, etc., as follows:

Section 1. Section one of chapter one hundred and twenty-two of the acts of the year nineteen hundred and eleven is hereby amended by striking out the word "four", in the third line, and inserting in place thereof the word: — five, — so as to read as follows: — *Section 1.* The treasurer of the county of Hampshire shall annually be allowed from the treasury of the county the sum of five hundred dollars for clerical assistance. 1911, 122, § 1, amended. Clerical assistance to treasurer, Hampshire county.

Section 2. This act shall take effect upon its passage.

Approved March 29, 1913.

An Act to revive the charter of the J. H. Stedman Company. *Chap.* 420

Be it enacted, etc., as follows:

Section 1. Chapter two hundred and seventy-seven of the acts of the year nineteen hundred and thirteen, in so far as it applies to or affects The J. H. Stedman Company, is hereby repealed; and the charter, organization and acts of that company shall remain of the same force and effect which they had at the time of the passage of said act. Charter revived.

Section 2. This act shall take effect upon its passage.

Approved March 31, 1913.

An Act relative to the appointees of the board of education. *Chap.* 421

Be it enacted, etc., as follows:

Section 1. Section three of chapter four hundred and fifty-seven of the acts of the year nineteen hundred and nine, as amended by chapter two hundred and eighty-two of the acts of the year nineteen hundred and ten, by chapter four hundred and sixty-six of the acts of the year nineteen hundred and eleven, and by chapter eighty of the acts of the year nineteen hundred and twelve, is hereby further amended by striking out the words "at equal salaries", in the fourteenth line, so as to read as follows: — 1909, 457, § 3, etc., amended.

Commissioner of education, appointment, etc.

Section 3. The board shall appoint a commissioner of education whose term of office shall be five years, and may fix his salary at such sum as the governor and council shall approve. Said commissioner may at any time be removed from office by a vote of six members of the board. He shall exercise the powers and perform the duties now conferred or imposed by law on the secretary of the board of education. He shall be the executive officer of the board, shall have supervision of all educational work supported in whole or in part by the commonwealth, and shall report thereon to the board, and, when so authorized by the board, may approve bills for expenditures from appropriations and funds placed under the direction of the board. The board shall also appoint two deputy commissioners, one of whom shall be especially qualified to deal with industrial education. The powers, duties, salaries and terms of office of said deputy commissioners shall be such as may be established from time to time by the board, but the board may, by a vote of six members thereof, remove from office at any time either of said deputy commissioners. The board may be allowed for rent, salaries of the commissioner, the deputies, agents, assistants and clerical service, and for travelling and other necessary expenses of the commissioner, the deputies, agents, and of the board incurred in the performance of their official duties, such sum as shall be appropriated by the general court annually, payable out of the treasury of the commonwealth.

Deputy commissioners.

Expenses of board.

SECTION 2. This act shall take effect upon its passage.

Approved March 31, 1913.

Chap. 422 AN ACT RELATIVE TO ALLOWANCES TO CITIES AND TOWNS IN THE METROPOLITAN WATER DISTRICT FOR WATER FURNISHED FROM THEIR OWN SOURCES.

Be it enacted, etc., as follows:

Allowance for water furnished by certain cities and towns in the metropolitan water district.

SECTION 1. Any city or town belonging to the metropolitan water district, established under the provisions of chapter four hundred and eighty-eight of the acts of the year eighteen hundred and ninety-five, which is assessed upon its total valuation, or which shall be admitted to the district under said chapter or any subsequent act of the general court, and which shall agree with the metropolitan water and sewerage board to furnish from its own works a

constant and fixed quantity of water of proper quality for a term of five or more years, as a part of its own water supply, such quantity to be not greater than the safe capacity of its sources in a dry year as determined by said board, shall be allowed and credited in its apportionment with such sum for every million gallons furnished in accordance with the agreement so made, as shall be determined in each year by the said board and certified by it to the treasurer of the commonwealth: *provided, however,* that the said sum shall not be less than twenty-four dollars per million gallons and shall not exceed the average cost to the metropolitan water district of water furnished from the metropolitan water supply during the year preceding that in which the assessment is made. Proviso.

Section 2. This act shall take effect upon its passage.

Approved March 31, 1913.

An Act relative to the salary of the treasurer of the county of Essex. *Chap.* 423

Be it enacted, etc., as follows:

Section 1. The salary of the treasurer of the county of Essex shall be three thousand dollars a year, payable from the treasury of the county. Salary established.

Section 2. All acts and parts of acts inconsistent herewith are hereby repealed. Repeal.

Section 3. This act shall take effect upon its passage.

Approved April 2, 1913.

An Act relative to the inspectors of factories and buildings of the district police. *Chap.* 424

Be it enacted, etc., as follows:

Section 1. The inspectors of factories and public buildings of the district police who were transferred to the state board of labor and industries, established by chapter seven hundred and twenty-six of the acts of the year nineteen hundred and twelve, shall, upon their request in writing to the governor, be transferred to the building department of the district police to fill any vacancies in that department which may occur after the first day of June in the year nineteen hundred and thirteen. Transfer of certain inspectors authorized.

Section 2. This act shall take effect upon its passage.

Approved April 2, 1913.

*Chap.*425 AN ACT RELATIVE TO THE OFFICE OF ASSISTANT CITY CLERK IN CAMBRIDGE.

Be it enacted, etc., as follows:

Assistant city clerk in Cambridge, appointment, etc.

SECTION 1. The assistant city clerk in the city of Cambridge shall be appointed by the city clerk of the city, and the appointment shall be made from the civil service list; but this requirement as to the civil service list shall not apply to the present incumbent.

Repeal.

SECTION 2. So much of the charter of the city of Cambridge as is inconsistent herewith is hereby repealed.

SECTION 3. This act shall take effect upon its passage.

Approved April 2, 1913.

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*Chap.*426 AN ACT RELATIVE TO CERTAIN BOXES AND BASKETS USED IN MILLS AND WORKSHOPS WHERE WOMEN ARE EMPLOYED.

Be it enacted, etc., as follows:

Certain receptacles to be moved by female employees in manufacturing, etc., establishments, to be provided with casters, etc.

SECTION 1. Boxes, baskets and other receptacles having the dimensions of not less than two feet in width, two and one half feet in length and two feet in height, or equivalent dimensions, which are to be moved by female employees in any manufacturing or mechanical establishment, shall be provided with pulleys, casters or some other mechanical device so that they can be moved easily from place to place in such establishments.

Penalty.

SECTION 2. Whoever violates the provisions of this act shall be punished by a fine not exceeding fifty dollars for every day during which there shall be a failure to equip or provide such boxes, baskets or other receptacles with some one of the appliances specified in section one of this act.

Approved April 3, 1913.

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*Chap.*427 AN ACT TO AUTHORIZE THE CITY OF BOSTON TO PAY A SUM OF MONEY TO TIMOTHY H. MCAULIFFE.

Be it enacted, etc., as follows:

City of Boston may pay an annuity to Timothy H. McAuliffe.

SECTION 1. The city of Boston is hereby authorized to pay to Timothy H. McAuliffe of that city, formerly employed in the sanitary service of the public works department of the city, who has become totally blind as the result of an injury sustained in the discharge of his duty, the sum of three

hundred and sixty dollars annually, during his life, to be paid in equal monthly instalments.

Time of taking effect.

Section 2. This act shall take effect upon its acceptance by the city council of the city of Boston, with the approval of the mayor. *Approved April 3, 1913.*

An Act to authorize the city of Holyoke to pay a sum of money to the widows of Patrick J. Riley and James J. Lynch. *Chap.* 428

Be it enacted, etc., as follows:

City of Holyoke may pay a sum of money to Mary A. Riley and Katherine Lynch.

Section 1. The city of Holyoke is hereby authorized to pay out of its treasury the sum of fifteen hundred dollars to Mary A. Riley, widow of Patrick J. Riley, and the like sum to Katherine Lynch, widow of James J. Lynch, the said Patrick J. Riley and James J. Lynch having died from injuries received in the performance of their duty as members of the fire department of said city. The said sums shall be paid as follows: — five hundred dollars to each of the said widows on the passage of this act, and the remainder in equal quarterly instalments. In case either of the said widows shall marry again or shall die before the full amount authorized by this act has been paid to her, the amount which would otherwise be paid to her shall be paid to a guardian for the benefit of her children living at the death of the widow or at the time of her remarriage and then under eighteen years of age.

Section 2. This act shall take effect upon its passage. *Approved April 3, 1913.*

An Act relative to the issuance of permits and licenses in the city of Springfield. *Chap.* 429

Be it enacted, etc., as follows:

Issuance of permits and licenses in city of Springfield, etc.

Section 1. The mayor and aldermen, and the city council of the city of Springfield, may delegate to commissions or commissioners, boards or heads of departments, the power respectively vested in them by the laws of the commonwealth to grant and issue licenses and permits, and may respectively regulate the granting and issuing of licenses or permits which the mayor and aldermen or which the city council are authorized to grant and issue by the statutes of the commonwealth except such as may be granted and issued

by the mayor and aldermen under the provisions of chapter one hundred of the Revised Laws and acts in addition thereto or in amendment thereof.

Repeal.

SECTION 2. So much of any act as is inconsistent herewith is hereby repealed.

SECTION 3. This act shall take effect upon its passage.

Approved April 3, 1913.

Chap. 430 AN ACT TO INCREASE THE NUMBER OF SPECIAL JUSTICES OF THE MUNICIPAL COURT OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

R. L. 160, § 55, etc., amended.

Section fifty-five of chapter one hundred and sixty of the Revised Laws, as amended by section eleven of chapter six hundred and forty-nine of the acts of the year nineteen hundred and twelve, is hereby further amended by striking out the word "two", in the third line, and inserting in place thereof the word: — four, — so as to read as follows: —

Justices, municipal court of Boston.

Section 55. The municipal court of the city of Boston shall consist of one chief justice, eight associate justices and four special justices.

Approved April 3, 1913.

Chap. 431 AN ACT RELATIVE TO VOTING PRECINCTS IN TOWNS.

Be it enacted, etc., as follows:

1907, 560, § 381, amended.

SECTION 1. Section three hundred and eighty-one of chapter five hundred and sixty of the acts of the year nineteen hundred and seven is hereby amended by inserting after the word "meeting", in the seventh line, the words: — The acceptance of the said provisions may be revoked by the town at a meeting called for the purpose and held thirty days at least before the annual town meeting; and if so revoked, the said provisions shall cease to be in force therein, — so

Towns may establish precinct voting for town officers, etc.

as to read as follows: — *Section 381.* Towns divided into voting precincts may, for their annual town election, establish precinct voting for all town officers to be chosen thereat and for voting on the question of granting licenses for the sale of intoxicating liquors, by accepting the provisions of this section at a meeting called for the purpose and held fourteen days at least before the annual town meeting.

Acceptance may be revoked, etc.

The acceptance of the said provisions may be revoked by the town at a meeting called for the purpose and held thirty days at least before the annual town meeting; and if so re-

voked, the said provisions shall cease to be in force therein. In towns so voting, or which have accepted the corresponding provisions of earlier laws, all matters to be considered at the annual town meeting, other than the election of town officers and the question of granting licenses for the sale of intoxicating liquors, shall be in order only at a town meeting held within thirty days after the date of the annual election, and not later than the thirtieth day of April. The time and place of holding such subsequent meeting shall be stated in the warrant for the annual election, and said election, subsequent meeting and its adjournments shall be regarded as parts of the annual town meeting. The election of a moderator, except in towns where moderators are elected for the term of one year, shall be the first business in order at said subsequent meeting. Towns are not hereby authorized to vote by precincts at special elections of town officers.

Other matters to be acted upon at a subsequent meeting.

Not authorized to vote by precincts at special elections of town officers.

Section 2. This act shall take effect upon its passage.

Approved April 3, 1913.

An Act to provide for excluding vehicles from certain streets in the city of Boston. *Chap.* 432

Be it enacted, etc., as follows:

Section 1. The board of street commissioners of the city of Boston may make rules and regulations to exclude or divert vehicles of any or all kinds, except street railway cars, from streets or parts of streets during such hours of the day as the board may deem proper, and may prescribe penalties for violation of such rules, not exceeding twenty dollars for every such violation.

Exclusion, etc., of vehicles from certain streets in Boston, etc.

Section 2. Before any rules are adopted by the board of street commissioners to carry out the provisions of this act, an advertised public hearing shall be given. In the advertisement for the hearing the streets from which it is proposed to exclude or divert vehicular traffic shall be named, and also the hours of the proposed exclusion. After the adoption of such rules and before they shall become operative, they shall be advertised at least once a week for two weeks in two or more daily newspapers published in the city of Boston.

Advertisement of hearing, rules, etc.

Section 3. Any such rules adopted hereunder shall be enforced by the police department of the city of Boston.

Enforcement of rules.

Approved April 3, 1913.

Chap. 433 AN ACT RELATIVE TO THE IMPROVEMENT OF TAUNTON RIVER FOR PURPOSES OF NAVIGATION.

Be it enacted, etc., as follows:

Investigation as to improvement of Taunton river, etc.

SECTION 1. The board of harbor and land commissioners is hereby authorized and directed to investigate the improvement of Taunton river, from Weir Village, so-called, in the city of Taunton, to the city of Fall River, in order to secure a channel twenty-five feet deep, or approximating that depth, for the purposes of navigation. The board shall consider and report upon the cost of land and the amount of land damages that would probably be necessary for making the said improvement and for the incidental straightening of the waterway, and shall collate and submit data estimating the probable amount of tonnage or transportation that would make use of the river improved as aforesaid, and shall investigate the possible development of navigation in the said river. The board shall report what investigations, reports, appropriations and expenditures have been made by the United States and by the commonwealth of Massachusetts relative to the navigation and improvement of the said river, and what action should be taken by the commonwealth and the various municipalities bordering on the river, either in co-operation with the United States or without such co-operation, to carry into effect such plans as the board may recommend for improving the navigation. The board shall consider the existence and establishment of both public and private terminal and transfer facilities, and shall give its opinion as to their adequacy and efficiency, as to their necessity, and as to their proper location.

Public hearings.

SECTION 2. The board shall hold one or more public hearings in the city of Taunton, and may hold one or more public hearings elsewhere, of which the public shall have due notice in the public press, and shall report to the general court not later than the second Wednesday of January, nineteen hundred and fourteen.

Expenditure.

SECTION 3. The board may expend a sum not exceeding five thousand dollars in carrying out the purposes of this act.

SECTION 4. This act shall take effect upon its passage.

Approved April 3, 1913.

An Act relative to statements concerning the employment of legislative counsel and agents. *Chap.* 434

Be it enacted, etc., as follows:

Section 1. Section thirty of chapter three of the Revised Laws is hereby amended by inserting after the word "legislation", in the seventh line, the words: — When such expense is included in an employment by annual salary or retainer, the statement shall specify the amount of the salary or retainer apportioned therefor. In case such employment is without any such apportionment, then the total salary or retainer which includes such services shall be stated, — so as to read as follows: — *Section 30.* Within thirty days after the prorogation of the general court, every person, corporation or association whose name appears upon the dockets so closed, as employers of any legislative counsel or agent, shall render to the secretary of the commonwealth a complete and detailed statement, under oath, of all expenses incurred or paid in connection with the employment of legislative counsel or agents, or with promoting or opposing legislation. When such expense is included in an employment by annual salary or retainer, the statement shall specify the amount of the salary or retainer apportioned therefor. In case such employment is without any such apportionment, then the total salary or retainer which includes such services shall be stated. Such statements shall be in such form as the secretary of the commonwealth may prescribe and shall be open to public inspection.

R. L. 3, § 30, amended.

Employers of legislative counsel and agents to file statements, etc.

Section 2. This act shall take effect upon its passage.

Approved April 3, 1913.

An Act relative to actions for libel. *Chap.* 435

Be it enacted, etc., as follows:

Section four of chapter two hundred and two of the Revised Laws, as amended by chapter four hundred and six of the acts of the year nineteen hundred and two, is hereby further amended by striking out the words "or libel", in the third line, and by adding at the end thereof the words: — and actions for libel shall be commenced within one year next after the cause of action accrues, — so as to read as follows: — *Section 4.* Actions for assault and battery, for false imprisonment, for slander, actions against executors,

R. L. 202, § 4, etc., amended.

Certain actions to be commenced within

two years after cause of action accrues.

administrators, guardians, trustees, sheriffs, deputy sheriffs, constables or assignees in insolvency, for the taking or conversion of personal property, and actions of tort for injuries to the person against counties, cities and towns, shall be commenced only within two years next after the cause of action accrues; and actions for libel shall be commenced within one year next after the cause of action accrues.

Approved April 3, 1913.

Chap. 436 AN ACT TO ESTABLISH THE SALARY OF GRANVILLE E. GREENOUGH, ENGINEER AT THE STATE PRISON.

Be it enacted, etc., as follows:

Salary established.

SECTION 1. The salary of Granville E. Greenough, engineer at the state prison, shall be eighteen hundred dollars a year.

SECTION 2. This act shall take effect upon its passage.

Approved April 3, 1913.

Chap. 437 AN ACT MAKING AN APPROPRIATION FOR THE CARE AND MAINTENANCE OF BOULEVARDS AND PARKWAYS IN CHARGE OF THE METROPOLITAN PARK COMMISSION.

Be it enacted, etc., as follows:

Appropriation, care, etc., of boulevards and parkways.

SECTION 1. A sum not exceeding two hundred eight thousand nine hundred eleven dollars and sixty-two cents is hereby appropriated for the care and maintenance of boulevards and parkways in charge of the metropolitan park commission, during the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen, one half of this amount to be paid out of the ordinary revenue and the other half to be assessed upon the metropolitan district.

SECTION 2. This act shall take effect upon its passage.

Approved April 3, 1913.

Chap. 438 AN ACT TO AUTHORIZE THE CITY OF FALL RIVER TO ACQUIRE AND RENT SUITABLE STRUCTURES FOR A MUNICIPAL MARKET.

Be it enacted, etc., as follows:

City of Fall River may take, etc., land, etc., for a municipal market.

SECTION 1. The city of Fall River is hereby authorized to take land and buildings, or to acquire the same by purchase or otherwise, or to build structures on land owned or acquired by the said city, and to rent any such land or structures for use as a municipal market.

SECTION 2. The damages occasioned by the taking of lands, easements or rights under the authority of this act shall be determined in the same manner as in the case of the taking of land for highway purposes. Damages.

SECTION 3. This act shall be submitted to the voters of the city of Fall River at the state election in the current year, and shall take effect upon its acceptance by a majority of the voters voting thereon. The question shall be submitted in the following form: — "Shall the city of Fall River acquire and rent suitable structures for a municipal market?" Act to be submitted to voters.

Approved April 3, 1913.

AN ACT RELATIVE TO THE PENALTY FOR USING DYNAMITE OR POISONOUS SUBSTANCES FOR TAKING OR KILLING FISH. *Chap.* 439

Be it enacted, etc., as follows:

Section one hundred and thirty-three of chapter ninety-one of the Revised Laws, as amended by chapter two hundred and forty-six of the acts of the year nineteen hundred and three, is hereby further amended by striking out the words "forfeit ten dollars", in the sixth line, and inserting in place thereof the words: — be punished by a fine not exceeding five hundred dollars or by imprisonment for a term not exceeding one year, — so as to read as follows: — *Section 133.* Whoever puts or throws into any waters for the purpose of taking or destroying fish therein any poisonous substance, simple, mixed or compound, or whoever kills or destroys fish by the use of dynamite or other explosive, or explodes dynamite or powder in fishing waters, shall be punished by a fine not exceeding five hundred dollars or by imprisonment for a term not exceeding one year for each offence: *provided, however,* that the provisions of this act shall not apply to operations of the federal government, of the state government, or of any municipal government in this commonwealth, nor to the use of explosives for raising the body of a drowned person. R. L. 91, § 133, etc., amended. Penalty for taking or killing fish by use of poison or explosives. Proviso.

Approved April 3, 1913.

AN ACT RELATIVE TO THE RATE OF TAXATION IN THE CITY OF SALEM. *Chap.* 440

Be it enacted, etc., as follows:

SECTION 1. The taxes assessed on property in the city of Salem exclusive of the state tax, the county tax and the sums required by law to be raised on account of the city debt Determination of rate of taxation in the city of Salem for the year 1913.

may, for the year nineteen hundred and thirteen, amount to a sum not exceeding fourteen dollars on each one thousand dollars of the assessors' valuation of the taxable property therein for the year nineteen hundred and twelve, the said valuation being first reduced by the amount of all abatements thereon previous to the thirty-first day of December in the year nineteen hundred and twelve, subject to the provisions of section fifty-four of chapter twelve of the Revised Laws and of acts in addition thereto and in amendment thereof.

SECTION 2. This act shall take effect upon its passage.

Approved April 3, 1913.

Chap. 441 AN ACT RELATIVE TO THE LIGHTING OF HALLS IN THREE-APARTMENT HOUSES IN TOWNS.

Be it enacted, etc., as follows:

Provisions of law relative to lighting of halls in tenement houses not to apply to certain apartment houses.

SECTION 1. The provisions of chapter six hundred and thirty-five of the acts of the year nineteen hundred and twelve, so far as they relate to the lighting of halls in tenement houses in towns, shall not apply to three-apartment houses, so-called, which are provided with push buttons with a three-point switch for turning on or off the electric lights in the halls of the said apartments when it is necessary to use the stairway therein.

SECTION 2. This act shall take effect upon its passage.

Approved April 3, 1913.

Chap. 442 AN ACT RELATIVE TO THE SUPPORT OF THE MARLBOROUGH HOSPITAL BY THE CITY OF MARLBOROUGH.

Be it enacted, etc., as follows:

1890, 60, § 6, amended.

SECTION 1. Chapter sixty of the acts of the year eighteen hundred and ninety is hereby amended by striking out section six and inserting in place thereof the following: —

City may raise money for support of hospital.

Section 6. The city of Marlborough is hereby authorized to raise by taxation a sum of money not exceeding three thousand dollars a year, and to appropriate the same toward the support and maintenance of the said hospital.

Act to be submitted to voters.

SECTION 2. This act shall be submitted to the voters of the city of Marlborough at the state election in the current year, and shall take effect upon its acceptance by a majority of the voters voting thereon, otherwise it shall not take effect.

Approved April 3, 1913.

An Act relative to rewarding certain veteran soldiers and sailors of the civil war. *Chap.* 443

Be it enacted, etc., as follows:

Section 1. Section two of chapter seven hundred and two of the acts of the year nineteen hundred and twelve is hereby amended by inserting after the word "war", in the sixth line, the words: — or who served in the army or navy of the United States during the civil war and was an actual bona fide resident of the commonwealth at the time of his enlistment, or who served in a military organization from or raised by the commonwealth, — so as to read as follows: — *Section 2.* The gratuity herein provided for shall be paid to every person, or his legal representative, not being a conscript or a substitute, and not having received a bounty from the commonwealth or from any city or town therein, who served in the army or navy of the United States to the credit of the commonwealth during the civil war, or who served in the army or navy of the United States during the civil war and was an actual bona fide resident of the commonwealth at the time of his enlistment, or who served in a military organization from or raised by the commonwealth, and was honorably discharged from such service, and is living at the time of the passage of this act; it being intended and provided that the said gift shall not be a bounty, nor a payment in equalization of bounties, nor a payment for services rendered, nor a payment for the purpose of making the result of their contracts of enlistment more favorable to them because the contracts of other soldiers were on better terms, but a testimonial for meritorious service such as the commonwealth may rightly give, and such as her sons may honorably accept and receive.

1912, 702, § 2, amended.

Persons to whom gratuity shall be paid.

Section 2. This act shall take effect upon its passage.

Approved April 3, 1913.

An Act relative to the state board of conciliation and arbitration. *Chap.* 444

Be it enacted, etc., as follows:

Chapter five hundred and fourteen of the acts of the year nineteen hundred and nine is hereby amended by striking out section fifteen and inserting in place thereof the following: — *Section 15.* In all cases of investigation and inquiries made by the board, and in all proceedings before it, any

1909, 514, § 15, amended.

Attendance of witnesses, etc.

member thereof may summon witnesses and may administer oaths and take testimony. The fees of such witnesses for attendance and travel shall be the same as in the case of witnesses before the superior court. Each witness shall certify in writing the amount of his travel and attendance, and the amount due to him shall be paid forthwith by the board, for which purpose the board may have money advanced to it from the treasury of the commonwealth as provided in section thirty-five of chapter six of the Revised Laws, as amended by section one of chapter three hundred and sixty-nine of the acts of the year nineteen hundred and five. *Approved April 3, 1913.*

Chap. 445 AN ACT RELATIVE TO THE AMOUNT TO BE PAID UNDER THE WORKMEN'S COMPENSATION ACT IN CASES OF CERTAIN SPECIFIED INJURIES.

Be it enacted, etc., as follows:

1911, 751, Part II, § 11, etc., amended.

SECTION 1. Section eleven of Part II of chapter seven hundred and fifty-one of the acts of the year nineteen hundred and eleven, as amended by section two of chapter five hundred and seventy-one of the acts of the year nineteen hundred and twelve, is hereby further amended by adding at the end thereof the following: — (*e*) The additional amounts provided for in this section in case of the loss of a hand, foot, thumb, finger or toe shall also be paid for the number of weeks above specified, in case the injury is such that the hand, foot, thumb, finger or toe is not lost but is so injured as to be incapable of use: *provided*, that when the incapacity ceases the said additional payment shall also cease, — so as to read as follows: — *Section 11.* In case of the following specified injuries the amounts hereinafter named shall be paid in addition to all other compensation:

Compensation in case of certain specified injuries.

(*a*) For the loss by severance of both hands at or above the wrist, or both feet at or above the ankle, or the loss of one hand and one foot, or the reduction to one tenth of normal vision in both eyes with glasses, one half of the average weekly wages of the injured person, but not more than ten dollars nor less than four dollars a week, for a period of one hundred weeks.

(*b*) For the loss by severance of either hand at or above the wrist, or either foot at or above the ankle, or the reduction to one tenth of normal vision in either eye with glasses, one half the average weekly wages of the injured person,

but not more than ten dollars nor less than four dollars a week, for a period of fifty weeks.

(*c*) For the loss by severance at or above the second joint of two or more fingers, including thumbs, or toes, one half the average weekly wages of the injured person, but not more than ten dollars nor less than four dollars a week, for a period of twenty-five weeks.

(*d*) For the loss by severance of at least one phalange of a finger, thumb, or toe, one half the average weekly wages of the injured person, but not more than ten dollars nor less than four dollars a week, for a period of twelve weeks.

(*e*) The additional amounts provided for in this section in case of the loss of a hand, foot, thumb, finger or toe shall also be paid for the number of weeks above specified, in case the injury is such that the hand, foot, thumb, finger or toe is not lost but is so injured as to be incapable of use: *provided*, that when the incapacity ceases the said additional payment shall also cease. Proviso.

SECTION 2. This act shall take effect upon its passage.

Approved April 7, 1913.

AN ACT TO AUTHORIZE THE APPOINTMENT OF A SEVENTH ASSISTANT CLERK OF THE MUNICIPAL COURT OF THE CITY OF BOSTON FOR CRIMINAL BUSINESS. *Chap.* 446

Be it enacted, etc., as follows:

There shall be appointed in the manner provided by law for the appointment of assistant clerks of the municipal court of the city of Boston, a seventh assistant clerk of said court for criminal business, who shall receive from the county of Suffolk an annual salary of sixteen hundred dollars. Seventh assistant clerk of municipal court of Boston, appointment, etc.

Approved April 7, 1913.

AN ACT RELATIVE TO THE INCORPORATION AND MANAGEMENT OF CO-OPERATIVE ASSOCIATIONS WITH A CAPITAL STOCK NOT EXCEEDING TEN THOUSAND DOLLARS. *Chap.* 447

Be it enacted, etc., as follows:

SECTION 1. Seven or more persons, residents of the commonwealth, may associate themselves as a corporation, association, society, company or exchange, for the purpose of conducting within the commonwealth any agricultural, dairy or mercantile business on the co-operative plan. The word "co-operative" shall form a part of the name of the Co-operative associations.

corporation, and, for the purposes of this act, the words "association", "company", "exchange", "society", and "union", shall have the same signification and shall import a corporation.

Incorporation.

SECTION 2. The corporation shall be formed in the manner prescribed in, and be subject to, the provisions of chapter four hundred and thirty-seven of the acts of the year nineteen hundred and three, and all acts in amendment thereof and in addition thereto, so far as they are not inconsistent with the provisions of this act.

Capital stock.

SECTION 3. The capital stock of such a corporation shall not exceed the amount of ten thousand dollars. No stockholder shall own shares of a greater par value than four hundred dollars, or be entitled to more than one vote on any subject arising in the management of the corporation.

Investment of reserve fund, etc.

SECTION 4. At any regular meeting, or at any duly called special meeting, at which a majority of all its stockholders shall be present, a corporation organized under this act may authorize the investment of its reserve fund or any part thereof, first, in the building in which it is doing business, or, second, in a first mortgage of real estate owned and occupied as a dwelling by any of its stockholders.

Apportionment of earnings.

SECTION 5. The directors of every such corporation shall apportion the earnings of the corporation in the following manner:

1. They shall set aside annually not less than ten per cent of the net profits of the corporation for a reserve fund until there is accumulated in said reserve fund an amount not less than thirty per cent of the paid-up capital stock.

2. They shall declare and pay dividends on the paid-up capital stock not exceeding five per cent per annum.

Distribution of earnings.

SECTION 6. 1. From the balance of the net earnings of the corporation the directors may appropriate a sum not exceeding five per cent of the annual net earnings to be used in teaching co-operation.

2. The directors may distribute the remainder of such earnings, or any part thereof, by a uniform dividend upon the amount of purchases of shareholders, and upon the amount of wages which have been earned and paid to employees, except that in the case of a purchaser who is not a shareholder but who desires to become a shareholder a dividend of one half the uniform dividend may be declared upon such nonshareholders' purchases and credited to him on account of the purchase of stock for which he may sub-

scribe. The profits or net earnings of such a corporation shall be distributed to those entitled thereto at such times as the by-laws shall prescribe, which shall be as often as once in twelve months.

Certificate of organization to be approved and filed, etc.

Section 7. Any co-operative association now organized by law in this commonwealth for any of the purposes mentioned in this act, and qualified so to do, may by a majority vote of the stockholders at a meeting called for the purpose vote to accept the provisions of this act, and shall thereupon present to the commissioner of corporations a certificate, signed and sworn to by its secretary, setting forth a copy of said vote, the date of the meeting at which the vote was passed, and such further evidence as the commissioner may require of its legal existence and of its intention to accept the provisions of this act. The commissioner shall examine the certificate and evidence of organization, and, if it appears that the provisions of law have been complied with, shall so certify, and shall approve the certificate by his endorsement thereon, and thereupon such corporation shall have the powers and privileges and be subject to the duties and liabilities of corporations formed under this act. Upon the payment of a fee of one dollar said certificate shall be filed in the office of the secretary of the commonwealth, who shall cause it and the endorsement thereon to be recorded.

Fee.

Section 8. This act shall take effect upon its passage.

Approved April 7, 1913.

An Act relative to the recovery of damages under the workmen's compensation act. *Chap.* 448

Be it enacted, etc., as follows:

1911, 751, Part III, § 15, amended.

Section 1. Section fifteen of Part III of chapter seven hundred and fifty-one of the acts of the year nineteen hundred and eleven is hereby amended by adding at the end thereof the following: —, and in case the association recovers a sum greater than that paid by the association to the employee four fifths of the excess shall be paid over to the employee, — so as to read as follows: — *Section 15.* Where the injury for which compensation is payable under this act was caused under circumstances creating a legal liability in some person other than the subscriber to pay damages in respect thereof, the employee may at his option proceed either at law against that person to recover damages, or against the association for compensation under this act, but

Legal liability for injuries.

not against both, and if compensation be paid under this act, the association may enforce in the name of the employee, or in its own name and for its own benefit, the liability of such other person, and in case the association recovers a sum greater than that paid by the association to the employee four fifths of the excess shall be paid over to the employee.

SECTION 2. This act shall take effect upon its passage.

Approved April 7, 1913.

Chap. 449 AN ACT TO REGULATE THE TAKING OF FISH BY MEANS OF ANY KIND OF SEINES IN THE WATERS OF PLYMOUTH, KINGSTON AND DUXBURY.

Be it enacted, etc., as follows:

Taking of fish by seines in certain waters regulated.

SECTION 1. It shall be unlawful for any person to do any seining or to use any kind of seines for the purpose of taking herring or other fish in any of the waters of Plymouth, Kingston and Duxbury harbors westerly of the line from Pier Head to Saquish Head: *provided, however,* that the selectmen of the towns of Plymouth, Kingston and Duxbury may grant permits for the use of seines for the purpose aforesaid, within the limits of their respective towns as herein described, with such restrictions as in their judgment will prevent the same from constituting a nuisance; and they may at any time revoke any such permit.

Proviso.

Penalty.

SECTION 2. Whoever violates any provision of this act shall be punished, for a first offence, by a fine of not less than fifty nor more than two hundred dollars, or by imprisonment for not less than six nor more than twelve months, or by both such fine and imprisonment, and for a second offence by both such fine and imprisonment.

Approved April 7, 1913.

Chap. 450 AN ACT RELATIVE TO THE SALARIES OF THE CHAPLAINS OF THE SENATE AND HOUSE OF REPRESENTATIVES.

Be it enacted, etc., as follows:

R. L. 3, § 14, amended.

Section fourteen of chapter three of the Revised Laws is hereby amended by striking out the word "three", in the second line, and inserting in place thereof the word: — six, —

so as to read as follows: — *Section 14.* The chaplain of the senate and the chaplain of the house of representatives shall each receive an annual salary of six hundred dollars. Salaries established.

(*The foregoing was laid before the governor on the first day of April, 1913, and after five days it had "the force of a law", as prescribed by the Constitution, as it was not returned by him with his objections thereto within that time.*)

An Act relative to licenses for sales on the lord's day of ice cream, confectionery, soda water and fruit. *Chap.* 451

Be it enacted, etc., as follows:

Section 1. Section two of chapter four hundred and twenty-three of the acts of the year nineteen hundred and nine is hereby amended by striking out the second sentence and inserting in place thereof the words: — The licenses if granted prior to the first day of May in each year shall take effect on that day, but if granted after that day shall take effect on their date, and all licenses shall expire on the thirtieth day of April of each year, — so as to read as follows: — *Section 2.* Licenses granted as aforesaid shall specify the street or place and the number, if there be any, and if there is no number, then the location of the place of business in which the license is to be exercised, and the license shall not be valid in any other place. The licenses if granted prior to the first day of May in each year shall take effect on that day, but if granted after that day shall take effect on their date, and all licenses shall expire on the thirtieth day of April of each year. The fee shall not be more than five dollars a year, and the license may be suspended or revoked at any time by the officer or board granting the same. 1909, 423, § 2, amended. Provisions of licenses. Fee, etc.

Section 2. This act shall take effect upon its passage.

Approved April 9, 1913.

An Act relative to the keeping of explosives and inflammable fluids and compounds. *Chap.* 452

Be it enacted, etc., as follows:

Section 1. Section three of chapter three hundred and seventy of the acts of the year nineteen hundred and four, as amended by chapter two hundred and eighty of the acts 1904, 370, § 3, etc., amended.

of the year nineteen hundred and five, by chapter five hundred and two of the acts of the year nineteen hundred and eight and by section one of chapter two hundred and twenty-three of the acts of the year nineteen hundred and ten, is hereby further amended by inserting after the word "given", in the seventh line, the words: — by mailing a copy of the notice to abutting property owners and other persons interested within a reasonable radius of the proposed building, at least fourteen days before said hearing, — so as to read as follows: — *Section 3.* No building or other structure shall be used in any city or town for the keeping, storage, manufacture or sale of any of the articles named in section two unless the mayor and aldermen or selectmen have granted a license therefor for one year from the date thereof after a public hearing, fourteen days' public notice of which shall be given by mailing a copy of the notice to abutting property owners and other persons interested within a reasonable radius of the proposed building, at least fourteen days before said hearing, at the expense of the applicant, and unless a permit shall be granted therefor by the chief of the district police, or by some official or officials designated by the said chief for that purpose: *provided, however,* that any building or other structure once used under a license and permit granted as aforesaid or any building or other structure lawfully used for any of said purposes may be continued in such use from year to year if the owner or occupant thereof shall, while such use continues, annually file for registration a certificate, reciting such use and occupancy, with the city or town clerk of the city or town where such building or other structure is situated and with the chief of the district police, or the official designated by him to grant permits in such city or town. The detective and fire inspection department of the district police may by regulation prescribe the amount of explosives, crude petroleum or any of its products, or any other inflammable fluid or compound, that may be kept for private use in a building or other structure without a license, permit or registration. The right to use a building or other structure for any of said purposes may be revoked for cause after notice and hearing given to such owner or occupant at any time by the mayor and aldermen or selectmen having authority to grant licenses for such use, or may be revoked for cause after notice and hearing given to such owner or occupant at any time by

Buildings not to be used for storage, etc., of explosives, etc., without a license.

Proviso.

License may be revoked, etc.

the chief of the district police. A fee of one dollar may be charged for the license and a like sum for the permit herein provided for, and one half of said sum for the registration of the said certificate. Such building or structure shall always be subject to such alterations in construction and such regulations of such use for protection against fire or explosion as the detective and fire inspection department of the district police may from time to time prescribe. Fee for license, etc.

Section 2. This act shall take effect upon its passage.

Approved April 9, 1913.

An Act relative to reports of assessors to the tax commissioner. *Chap.* 453

Be it enacted, etc., as follows:

Section 1. Section ninety-three of Part I of chapter four hundred and ninety of the acts of the year nineteen hundred and nine is hereby amended by striking out the words "They shall also, on or before the first Monday of August, return to the tax commissioner the amount of taxes laid, or voted to be laid, within said city or town, for the then current year, for state, county and town purposes", in the thirteenth to the seventeenth lines, both inclusive, so as to read as follows: — *Section 93.* Assessors shall annually, on or before the first Monday of July, return to the tax commissioner the names of all corporations, except banks of issue and deposit, having a capital stock divided into shares, chartered by the commonwealth or organized under the general laws for the purposes of business or profit and established in their respective cities and towns or owning real estate therein, and a statement in detail of the works, structures, real estate and machinery owned by each of said corporations and situated in such city or town, with the value thereof, on the first day of April preceding, and the amount at which the same is assessed in said city or town for the then current year. They shall also, on or before the first Monday of August, return to the tax commissioner the names of all foreign corporations which have a usual place of business within said city or town. If the assessors neglect to comply with the requirements of this section, each assessor so neglecting shall forfeit one hundred dollars. 1909, 490, Part I, § 93, amended. Assessors to make returns of corporate property, and amount of taxes laid, etc.

Section 2. Section forty-three of Part III of said chapter four hundred and ninety is hereby amended by striking 1909, 490, Part III, § 43, amended.

out the word "ninety-three", in the eleventh line, and inserting in place thereof the word: — fifty-nine, — and also by striking out the last sentence of said section, so as to read as follows: — *Section 43.* Every corporation subject to the provisions of section forty shall annually pay a tax upon its corporate franchise, after making the deductions provided for in section forty-one, at a rate equal to the average of the annual rates for three years preceding that in which such assessment is laid, the annual rate to be determined by an apportionment of the whole amount of money to be raised by taxation upon property in the commonwealth during the same year, as returned by the assessors of the several cities and towns under the provisions of section fifty-nine of Part I, after deducting therefrom the amount of tax assessed upon polls for the preceding year, as certified to the tax commissioner, upon the aggregate valuation of all cities and towns for the preceding year, as returned under sections fifty-nine and sixty of Part I; but the said tax upon the value of the corporate franchise of a domestic business corporation, after making the deductions provided for in section forty-one, shall not exceed a tax levied at the rate aforesaid upon an amount, less said deductions, twenty per cent in excess of the value, as found by the tax commissioner, of the works, structures, real estate, machinery, underground conduits, wires and pipes, and merchandise, and of securities which if owned by a natural person resident in this commonwealth would be liable to taxation; and the total amount of tax to be paid by such corporation in any year upon its property locally taxed in this commonwealth and upon the value of its corporate franchise shall amount to not less than one tenth of one per cent of the market value of its capital stock at the time of said assessment as found by the tax commissioner.

Tax upon corporate franchise.

Determination of rate.

SECTION 3. This act shall take effect upon its passage.

Approved April 9, 1913.

Chap. 454 AN ACT RELATIVE TO THE FILING OF ANNUAL STATEMENTS BY TRUSTEES OF VOLUNTARY ASSOCIATIONS UNDER WRITTEN INSTRUMENTS OR DECLARATIONS OF TRUST.

Be it enacted, etc., as follows:

1909, 441, amended.

Chapter four hundred and forty-one of the acts of the year nineteen hundred and nine is hereby amended by add-

ing at the end thereof the following new section: — *Section 3.* Every trustee of a voluntary association under a written instrument or declaration of trust, the beneficial interest under which is divided into transferable certificates of participation or shares, who fails to comply with the requirements of section two of this act shall for such failure be liable to a fine of not more than five hundred dollars or to three months' imprisonment. *Approved April 9, 1913.*

Penalty for failure to file statement.

An Act to authorize the adjutant general to duplicate certain medals lost in the Chelsea fire by members of the coast artillery corps of the militia. *Chap.* 455

Be it enacted, etc., as follows:

Section 1. The adjutant general is hereby authorized and directed, upon application of any past or present member of the fifth company, Massachusetts volunteer militia, coast artillery corps of Chelsea, to issue duplicate medals for excellence in the various shooting classes awarded to any of such persons prior to nineteen hundred and eight and lost in the Chelsea fire, the expense of the same to be paid out of the treasury of the commonwealth.

Certain medals lost in the Chelsea fire by members of the coast artillery corps may be duplicated.

Section 2. This act shall take effect upon its passage. *Approved April 9, 1913.*

An Act to authorize the city of Lynn to incur additional indebtedness for the purpose of improving its system of water supply. *Chap.* 456

Be it enacted, etc., as follows:

Section 1. For the purpose of further exercising the powers granted to the city of Lynn by the provisions of chapter five hundred and eight of the acts of the year nineteen hundred and one, and for the purpose of still further improving the storage and distribution facilities of the water supply system of the city and of procuring an additional supply, the city of Lynn is hereby authorized to borrow, in excess of its statutory limit of indebtedness, a sum not exceeding six hundred thousand dollars, and to issue therefor from time to time bonds or notes. Such bonds or notes shall be denominated on the face thereof, City of Lynn Water Loan, Act of 1913; shall be signed by the treasurer of the city and countersigned by a majority of the municipal council, shall bear interest at a rate not exceeding four and

City of Lynn Water Loan, Act of 1913.

one half per cent per annum; and shall be payable by such annual payments, beginning not more than one year after the date of each loan, as will extinguish each loan within thirty years from its date, and the amount of such annual payment of any loan in any year shall not be less than the amount of the principal of said loan payable in any subsequent year. Each authorized issue of bonds or notes shall constitute a separate loan. The city may sell the said securities at public or private sale, upon such terms and conditions as it may deem proper, but they shall not be sold for less than their par value, and the proceeds shall be used only for the purpose herein specified.

Payment of loan.

SECTION 2. The city shall, at the time of authorizing said loan or loans, provide for the payment thereof in accordance with section one of this act; and when a vote to that effect has been passed, a sum which with the income derived from water rates will be sufficient to pay the annual expense of operating its water works and the interest as it accrues on the bonds or notes issued as aforesaid, and to make such payments on the principal as may be required under the provisions of this act, shall without further vote be assessed by the assessors of the city annually thereafter, in the same manner in which other taxes are assessed, until the debt incurred by said loan or loans is extinguished.

SECTION 3. This act shall take effect upon its passage.

Approved April 9, 1913.

Chap. 457 AN ACT TO AUTHORIZE CONTINUANCES IN CASES AGAINST CHILDREN.

Be it enacted, etc., as follows:

Cases against certain children may be continued, etc.

Whenever any child is brought before any court for being neglected, wayward, delinquent, truant, or for being an habitual absentee and habitual school offender or stubborn, the court may continue the case for such time not exceeding six months for any one continuance as shall seem best for the interest of the child. *Approved April 10, 1913.*

Chap. 458 AN ACT RELATIVE TO THE TAXATION OF THE POLES AND WIRES OF STREET RAILWAY COMPANIES.

Be it enacted, etc., as follows:

1909, 490, Part I, § 23, etc., amended.

SECTION 1. Section twenty-three of Part I of chapter four hundred and ninety of the acts of the year nineteen

hundred and nine, as amended by section one of chapter four hundred and thirty-nine of the acts of the year nineteen hundred and nine, is hereby further amended by striking out paragraph Tenth and inserting in place thereof the following: — Tenth, Underground conduits, wires and pipes laid in public streets, except such as are owned by a street railway company, and poles, underground conduits and pipes together with the wires thereon or therein laid in or erected upon private property or in a railroad location by any corporation, except such poles, underground conduits, wires and pipes of a railroad corporation laid in or erected upon the location of such railroad, and except such poles, underground conduits, wires and pipes laid in or erected upon any right of way owned by a street railway company, shall be assessed to the owners thereof in the cities and towns in which they are laid or erected.

Assessment of underground conduits, etc.

Section 2. This act shall take effect upon its passage and shall in the year nineteen hundred and thirteen govern the taxation of property subject to its provisions.

Time of taking effect.

Approved April 10, 1913.

An Act relative to the expenses of Timothy Leary, medical examiner of the county of Suffolk for the fiscal year nineteen hundred and twelve. *Chap.* 459

Be it enacted, etc., as follows:

Section 1. There shall be allowed and paid from the treasury of the county of Suffolk to Timothy Leary, medical examiner of that county, the sum of three hundred dollars and fifty-five cents, for expenses incurred by him during the fiscal year nineteen hundred and twelve.

Expenses of medical examiner, Suffolk county.

Section 2. This act shall take effect upon its passage.

Approved April 10, 1913.

An Act to authorize the city of Brockton to incur indebtedness for sewer purposes. *Chap.* 460

Be it enacted, etc., as follows:

Section 1. For the purposes specified in chapter two hundred and forty-seven of the acts of the year eighteen hundred and ninety-two, the city of Brockton is hereby authorized to borrow the sum of one hundred thousand dollars, and may from time to time issue bonds or notes therefor, payable at periods not exceeding thirty years

Brockton Sewerage Loan, Act of 1913.

from the respective dates of issue, and the same shall not be reckoned in determining the statutory limit of indebtedness of the city. Such bonds or notes shall be signed by the treasurer and countersigned by the mayor of the city; shall be denominated on the face thereof, Brockton Sewerage Loan, Act of 1913, and shall bear interest at a rate not exceeding four and one half per cent per annum, payable semi-annually. Each authorized issue of bonds or notes shall constitute a separate loan. The city may sell the said securities at public or private sale upon such terms and conditions as it may deem proper, but they shall not be sold for less than their par value, and the proceeds shall be used only for the purpose herein specified.

Payment of loan.

SECTION 2. The city shall, at the time of making the said loan or loans, provide for the payment thereof in such annual payments, beginning not more than one year after the date of each of said loans, as will extinguish the same within thirty years from its date; and the amount of such annual payment of any loan in any year shall not be less than the amount of the principal of said loan payable in any subsequent year. When a vote to the foregoing effect has been passed a sum which, with the income derived from sewer rentals, will be sufficient to pay the annual expense of operating its sewer system, and the interest as it accrues on the bonds or notes issued as aforesaid, and to make such payments on the principal as may be required under the provisions of this act shall, without further vote, be assessed by the assessors of the city annually thereafter, in the same manner in which other taxes are assessed, until the debt incurred by said loan or loans is extinguished.

SECTION 3. This act shall take effect upon its passage.

Approved April 10, 1913.

Chap. 461 AN ACT TO AUTHORIZE THE DRACUT WATER SUPPLY DISTRICT TO MAKE AN ADDITIONAL WATER LOAN.

Be it enacted, etc., as follows:

Dracut Water Supply District Loan, Act of 1913.

SECTION 1. The Dracut Water Supply District, for the purposes mentioned in chapter four hundred and thirty-three of the acts of the year nineteen hundred and five, may issue bonds or notes, signed by the treasurer of the water supply district and countersigned by the chairman of the water commissioners, to be denominated on the face thereof,

Dracut Water Supply District Loan, Act of 1913, to an amount not exceeding three thousand dollars, in addition to the amounts heretofore authorized to be issued by said district for the same purposes. The said bonds or notes shall constitute a single loan. They shall be payable by such annual payments, beginning not more than one year after the date thereof, as will extinguish the loan within thirty years from its date; and the amount of the annual payment of the loan in any year shall not be less than the amount of the principal of the loan payable in any subsequent year. The said bonds or notes shall bear interest at a rate not exceeding five per cent per annum, payable semi-annually. The district may sell the said securities at public or private sale, upon such terms and conditions as it may deem proper, but they shall not be sold for less than their par value, and the proceeds shall be used only for the purpose herein specified.

Payment of loan.

Section 2. The said district shall, at the time of authorizing the said loan, provide for the payment thereof in accordance with section one of this act; and when a vote to that effect has been passed, a sum which, with the income derived from water rates and payments from the town of Dracut, will be sufficient to pay the annual expense of operating its water works and the interest as it accrues on the bonds or notes issued as aforesaid by the district, and to make such payments on the principal as may be required under the provisions of this act, shall, without further vote, be assessed by the assessors of the town annually thereafter, in the same manner in which other taxes are assessed, until the debt incurred by said loan is extinguished.

Section 3. This act shall take effect upon its passage.

Approved April 10, 1913.

An Act to authorize the city of Springfield to incur additional indebtedness for the use of its water department. *Chap.* 462

Be it enacted, etc., as follows:

City of Springfield, Westfield Little River Water Loan, Act of 1913.

Section 1. For the purpose of paying the necessary expenses and liabilities incurred and to be incurred under the provisions of chapter three hundred and seventeen of the acts of the year nineteen hundred and six, as amended by chapter six hundred and seven of the acts of the year nine-

teen hundred and twelve, and for the purpose of paying the necessary expenses and liabilities arising from the purchase or taking of land and the erection thereon of buildings for the operation and administration of its water department, the city of Springfield may issue from time to time coupon or registered bonds or notes to an amount not exceeding three hundred and fifty thousand dollars, in addition to the amounts heretofore authorized by law to be issued by the city for water supply purposes. Each authorized issue of bonds or notes shall constitute a separate loan. Bonds or notes issued under authority of this act shall bear on their face the words, City of Springfield, Westfield Little River Water Loan, Act of 1913; shall be payable by such annual payments, beginning not more than one year after the date thereof, as will extinguish each loan within thirty years from its date; and the amount of such annual payment of any loan in any year shall not be less than the amount of the principal of the loan payable in any subsequent year. The said bonds or notes shall bear interest at a rate not exceeding four and one half per cent per annum, payable semi-annually; and shall be signed by the treasurer and countersigned by the mayor of the city. The city, by its mayor and treasurer, may sell the said securities at public or private sale, upon such terms and conditions as they may deem proper, but the securities shall not be sold for less than their par value.

Payment of loan.

SECTION 2. The city shall, at the time of authorizing said loan or loans, provide for the payment thereof in accordance with section one of this act; and when a vote to that effect has been passed by the city council, a sum, which with the income derived from water rates, will be sufficient to pay the annual expense of operating its water works and the interest as it accrues on the bonds or notes issued as aforesaid by the city, and to make such payments on the principal as may be required under the provisions of this act, shall, without further vote, be assessed by the assessors of the city annually thereafter, in the same manner in which other taxes are assessed, until the debt incurred by said loan or loans is extinguished.

SECTION 3. This act shall take effect upon its passage.

Approved April 10, 1913.

An Act making appropriations for the expenses of the state board of health. *Chap.* 463

Be it enacted, etc., as follows:

Section 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, for the salaries and expenses of the state board of health, for the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen, to wit: — Appropriations, state board of health.

For the salary of the secretary, five thousand dollars. Secretary.

For the general work of the board, including travelling expenses, a sum not exceeding twenty-six thousand five hundred dollars. General work, etc.

For salaries and expenses for the inspection of milk, food and drugs, a sum not exceeding seventeen thousand five hundred dollars. Inspection of milk, food and drugs.

For expenses of the examination of sewer outlets, a sum not exceeding sixteen thousand dollars. Examination of sewer outlets.

For the expense of producing and distributing antitoxin and vaccine lymph, a sum not exceeding twenty-one thousand dollars. Antitoxin and vaccine lymph.

For printing and binding the annual report, a sum not exceeding five thousand dollars. Annual report.

For services of engineers, chemists, biologists and other assistants, and for other expenses in protecting the purity of inland waters, a sum not exceeding thirty-six thousand dollars. Engineers, chemists, etc.

For the salaries and expenses of the inspectors of health, a sum not exceeding thirty-eight thousand eight hundred dollars. Inspectors of health.

For expenses in connection with the watershed of the Charles river basin in the city of Boston, a sum not exceeding eighteen hundred dollars. Watershed of Charles river basin.

For compensation and expenses of the state examiners of plumbers, a sum not exceeding fifty-two hundred dollars. State examiners of plumbers.

For the expenses of carrying out the provisions of the act relative to the prevention of ophthalmia neonatorum, a sum not exceeding five hundred dollars. Prevention of ophthalmia neonatorum.

For the expenses of slaughtering and meat inspection, a sum not exceeding five thousand dollars. Slaughtering and meat inspection.

For expenses in regulating the cold storage of certain food products, a sum not exceeding seven thousand dollars. Cold storage regulation.

Supervision of water companies.

For expenses in connection with the supervision of water companies, a sum not exceeding one thousand dollars.

Sanitary condition of Merrimac river.

For expenses in connection with the examination of the sanitary condition of the Merrimac river, a sum not exceeding one thousand dollars.

Protection of public health, etc.

For expenses in connection with the protection of the public health along the valley of the Aberjona river, a sum not exceeding one thousand dollars.

SECTION 2. This act shall take effect upon its passage.

Approved April 10, 1913.

Chap. 464 AN ACT TO PROHIBIT THE MISUSE OF THE FLAG OF THE UNITED STATES.

Be it enacted, etc., as follows:

R. L. 206, § 5, amended.

Section five of chapter two hundred and six of the Revised Laws is hereby amended by inserting after the word "designs", in the fifth line, the words: — or who shall in this commonwealth expose to public view, manufacture, sell, expose for sale, give away or have in possession for sale or to give away or for use for any purpose, any article or substance, being an article of merchandise or a receptacle of merchandise or articles upon which shall be attached through a wrapping or otherwise, engraved or printed in any manner, a representation of the United States flag, — so as to read as follows: — *Section 5.* Whoever publicly mutilates, tramples upon, defaces or treats contemptuously the flag of the United States or of Massachusetts, whether such flag is public or private property, or whoever displays such flag or any representation thereof upon which are words, figures, advertisements or designs, or who shall in this commonwealth expose to public view, manufacture, sell, expose for sale, give away or have in possession for sale or to give away or for use for any purpose, any article or substance, being an article of merchandise or a receptacle of merchandise or articles upon which shall be attached through a wrapping or otherwise, engraved or printed in any manner, a representation of the United States flag, shall be punished by a fine of not less than ten nor more than one hundred dollars; but a flag which belongs to a grand army post, to a camp of the legion of Spanish war veterans or which is the property of or is used in the service of the United States or of this commonwealth may have the names of battles and the name and

Penalty for misuse of flag.

number of the organization to which such flag belongs inscribed thereon. Trial justices shall have jurisdiction of violations of the provisions of this section. Trial justices to have jurisdiction.

Approved April 10, 1913.

An Act to authorize the city of Haverhill to pay a pension to an employee of the city. *Chap.* 465

Be it enacted, etc., as follows:

Section 1. The city of Haverhill by vote of its city council, with the approval of the mayor, may provide for the payment by the city of a pension of three hundred and twenty-five dollars to Leverett Messer in consideration of his long and faithful service as janitor of the public library in the said city; and when a vote to this effect has been passed, the pension shall be paid annually to the said Messer so long as he lives. City of Haverhill may pay a pension to Leverett Messer.

Section 2. This act shall take effect upon its passage.

Approved April 10, 1913.

An Act relative to the sale of its real estate by the Melrose Highlands Baptist Church and to the disposition of the proceeds. *Chap.* 466

Be it enacted, etc., as follows:

Section 1. All votes and proceedings of the Melrose Highlands Baptist Church at the meeting held in Melrose on June twenty-eighth, in the year nineteen hundred and twelve, and the deed given in pursuance of one of said votes by the Melrose Highlands Baptist Church of its real estate situated on Franklin street, Melrose, to the Advent Christian Church of Melrose are hereby confirmed and made valid. The proceeds from the sale of said real estate shall be used for religious purposes only, in accordance with the vote of the majority of the resident members of the Melrose Highlands Baptist Church who shall be of full age at the time when the vote is taken. Certain proceedings of Melrose Highlands Baptist Church confirmed.

Section 2. This act shall take effect upon its passage.

Approved April 10, 1913.

*Chap.*467 AN ACT TO REQUIRE THE ATTENDANCE OF ILLITERATE MINORS BETWEEN THE AGES OF SIXTEEN AND TWENTY-ONE YEARS IN A PUBLIC EVENING SCHOOL.

Be it enacted, etc., as follows:

Attendance of certain minors at public evening school compulsory.

SECTION 1. Every illiterate minor between sixteen and twenty-one years of age shall attend some public evening school in the city or town in which he resides for the whole time during which the public evening schools are in session:

Proviso.

provided, that such city or town maintains a public evening school. Attendance at a public day school, or at a private school approved for the purpose by the school committee, shall exempt such minor from attending a public evening school.

Not to affect existing laws.

This act shall not affect any existing laws regarding the compulsory school attendance of illiterate minors or their employment, but shall be in addition to such laws.

Penalty upon minor.

SECTION 2. An illiterate minor who wilfully violates any provision of this act shall be punished by a fine of not less than five dollars.

Penalty upon person in control of minor.

SECTION 3. Every person having under his control an illiterate minor between sixteen and twenty-one years of age shall cause him to attend a public evening school as hereby required; and if such person fails for six sessions within a period of one month to cause the minor so to attend school, unless the minor's physical or mental condition is such as to render his attendance at school harmful or impracticable, such person shall, upon complaint by a truant officer and conviction thereof, be punished by a fine of not more than twenty dollars.

Penalty for unlawfully employing minor, etc.

SECTION 4. Whoever induces or attempts to induce such minor to absent himself unlawfully from school, or employs such a minor except as is provided by law, or harbors such a minor who, while school is in session, is absent unlawfully therefrom, shall be punished by a fine of not more than fifty dollars. *Approved April 10, 1913.*

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*Chap.*468 AN ACT RELATIVE TO THE RETIREMENT OF CERTAIN OFFICERS OF THE MILITIA.

Be it enacted, etc., as follows:

Rank with which certain officers of the militia may be retired, etc.

SECTION 1. All officers who held commissions in the Massachusetts volunteer militia prior to the passage of chapters three hundred and five and three hundred and

fifty-six of the acts of the year nineteen hundred and seven, who were reduced in rank by the passage of said chapters, and who have held the same position with the reduced rank which they held prior to the passage of said chapters, may be placed on the retired list, provided that they have complied with the other requirements of section ninety-six of chapter six hundred and four of the acts of the year nineteen hundred and eight, with the same rank to which they would have been entitled had they not been reduced in rank by said chapters three hundred and five and three hundred and fifty-six.

Section 2. This act shall take effect upon its passage.

Approved April 10, 1913.

An Act relative to unlawful sexual relations with female idiots, imbeciles and feeble-minded persons. *Chap.* 469

Be it enacted, etc., as follows:

Section five of chapter two hundred and twelve of the Revised Laws is hereby amended by inserting after the word "imbecile", in the second line, the words: — or a feeble-minded female, — by striking out the word "or", in the fourth line, and inserting in place thereof a comma; and by inserting after the word "imbecile", in the same line, the words: — or feeble-minded, — so as to read as follows: — R. L. 212, § 5, amended.

Section 5. Whoever has unlawful sexual intercourse with a female idiot or imbecile or a feeble-minded female under circumstances which do not constitute rape shall, if he had reasonable cause to believe that she was an idiot, imbecile or feeble-minded, be punished as provided in section three. Penalty for carnal knowledge of idiot, etc.

Approved April 10, 1913.

An Act to provide for the appointment of a commission to consider and apportion the finances and expenses of the county of Suffolk among the cities and towns thereof. *Chap.* 470

Be it enacted, etc., as follows:

Section 1. The governor, with the advice and consent of the council, shall appoint a commission to consist of three disinterested persons, not residents of the county of Suffolk, who shall, after notice and hearing, consider and report upon such an adjustment and apportionment of the expenses of the county of Suffolk and the proportion thereof if any that Commission on apportionment of finances and expenses of Suffolk county, appointment, etc.

should fairly and equitably be borne by the cities of Boston and Chelsea and the towns of Revere and Winthrop. The commission shall begin its investigation by public hearings or otherwise immediately after qualifying, and shall have authority to examine all records, papers and accounts of said county and of said cities and towns relating to the subject of its investigation.

To make report, etc.

SECTION 2. The commission shall make a report of its findings and recommendations to the general court on or before January tenth, nineteen hundred and fourteen, and shall include in its report a bill providing for the apportionment of the expenses of the county of Suffolk among the cities and towns therein, together with any changes in the government of said county that may be rendered necessary thereby.

Compensation.

SECTION 3. The commissioners shall receive such compensation for their services and may expend such sums of money in carrying out the provisions of this act as shall be approved by the governor and council. The governor and council shall apportion such compensation and expenses among the cities and towns of the county of Suffolk.

SECTION 4. This act shall take effect upon its passage.

Approved April 10, 1913.

Chap. 471 AN ACT RELATIVE TO POLICE, DISTRICT AND MUNICIPAL COURTS AND THEIR OFFICIALS AND PRACTICE.

Be it enacted, etc., as follows:

Date of complaint.

SECTION 1. A complaint need not bear date of issuance, provided that the date of its reception appears in the jurat thereto.

Execution of certain orders of commitment may be suspended, etc.

SECTION 2. In all cases the execution of orders of commitment to the Massachusetts reformatory, the reformatory for women, the Suffolk school for boys, the Plummer farm school of reform for boys, any truant school, however named, any house of reformation for juvenile offenders, the Lyman school, the industrial school for girls, the industrial school for boys, and the state board of charity, may be suspended, and such suspension continued or revoked, in the same manner and with the same effect as the execution of sentences in criminal cases.

R. L. 160, § 40, amended.

SECTION 3. Section forty of chapter one hundred and sixty of the Revised Laws is hereby amended by inserting after the word "courts", in the sixth line, the words:

— and approved by the justices, — so as to read as follows: — *Section 40.* The justices and clerks of police, district and municipal courts, except the municipal court of the city of Boston, may procure all law books relating to the laws of the commonwealth, including the reports of the supreme judicial court, the Massachusetts digests, all blank books, blanks, stationery and other incidentals which may be required by said courts and approved by the justices. The expenses thereof shall be certified by the justices monthly, and shall be transmitted to the county commissioners who shall audit the bills therefor and order payment thereof by the county. Books and supplies for certain courts.

Section 4. Said chapter one hundred and sixty is hereby amended by striking out section forty-two and inserting in place thereof the following: — *Section 42.* If all the parties to a civil action in a police, district or municipal court, other than the municipal court of the city of Boston, file a written waiver of the right of appeal, there shall be no appeal from the judgment in such action. R. L. 160, § 42, amended. No appeal allowed if written waiver is filed.

Section 5. Chapter one hundred and sixty-eight of the Revised Laws is hereby amended by striking out section eighty and inserting in place thereof the following: — *Section 80.* Upon the filing of an application of a judgment creditor, with an affidavit made by him or a person in his behalf that the judgment is founded upon a claim for the necessaries of life furnished to the judgment debtor or his family, or for work or labor performed by the judgment creditor for the judgment debtor, the police, district or municipal court of the judicial district in which the judgment debtor lives, or, if he does not live within the district of any such court, a police, district or municipal court having a judicial district, within the county, adjoining or near the town in which the judgment debtor lives, or in the county of Nantucket a trial justice, shall issue a notice to said debtor to appear at a time and place named therein to show cause why an examination into his circumstances should not be made and a decree be entered ordering him to pay such judgment in full or by instalments, weekly, monthly or otherwise. Said notice shall be served by delivering a copy thereof to the defendant or by leaving a copy at his last and usual place of abode, at least seven days before the return day thereof. If it shall appear that said notice has not been served as herein required, the court may continue the proceedings and issue a new notice to the debtor. Proceedings under this R. L. 168, § 80, amended. Equitable process after judgment.

section and the six following sections shall be in order for hearing at the return day and hour of the notice or other process, but if not disposed of on that day may be brought up for hearing and disposition at some later time in such manner as the court may direct. At the hearing the court shall first ascertain if the claim of the creditor is for the necessaries of life, or for work or labor performed by the judgment creditor for the judgment debtor, as stated in the affidavit, and, if it so finds, it shall make inquiry, by examination of the judgment debtor or otherwise, as to his circumstances, his income from any source and his ability to pay said judgment; and if the debtor fails to appear at the hearing, such inquiry may proceed in his absence. If the court finds that the debtor is not able to pay said judgment in full or by part payments from time to time, it shall enter a finding thereof and dismiss the proceedings; and in such case no new application shall be entertained unless the judgment creditor or a person in his behalf files an affidavit stating in substance the evidence relied on to show a change in the debtor's circumstances, and the court in its discretion determines that there is occasion for a new inquiry. If the court finds that the debtor is able to pay the judgment in full or by part payments from time to time, it may, after allowing the debtor out of his income a sufficient amount, which need not be stated, for the support of himself and family, enter a decree fixing the time, place and amount of payments to be made by the debtor out of his income, which payments shall be applied first to the costs of proceedings under this section and the six following sections and next to the reduction of said judgment.

R. L. 168, § 81, amended.

Section 6. Section eighty-one of said chapter one hundred and sixty-eight is hereby amended by striking out all of said section preceding the words "the court", in the eighth and ninth lines, so as to read as follows: — *Section 81.*

Enforcement of decree.

The court may enforce its decrees by proceedings for contempt as a court of equity might do; but not more than fourteen days' imprisonment shall be ordered by the court as punishment for any one such contempt. The debtor may be released by order of the court at any time, upon payment of the claim and costs or upon his giving a bond to the creditor, with one or more sureties who shall be approved by the court, conditioned that he will comply with all existing or subsequent decrees of the court; or, after seven days' imprisonment, he may be released by order of the court,

upon filing in court his personal bond, conditioned that he will thenceforth comply with all decrees of the court. If the debtor is released upon his personal bond, as aforesaid, he may, if he does not comply with said decree within sixty days after his release or fails to show to the court good cause for his non-compliance, again be cited to appear before the court by the creditor and proceeded against as for a further contempt of court.

R. L. 168, § 86, amended.

Section 7. Said chapter one hundred and sixty-eight is hereby further amended by striking out section eighty-six and inserting in place thereof the following: — *Section 86.* Upon the commencement of proceedings under the provisions of the six preceding sections, there shall be paid to the clerk, if any, of the court, otherwise to the justice thereof, an entry fee of one dollar. Such entry fee and the fees of witnesses and officers shall be allowed to the creditor as costs, unless the court shall otherwise order, and no other costs shall be allowed to either party. Officers shall be paid the same fees, and in the same manner, as in the service of writs, for copies, service, travel and other expenses. A constable qualified to serve civil process shall have authority to serve any notice, citation, warrant or other process under the provisions of the six preceding sections.

Costs and fees.

Approved April 10, 1913.

An Act relative to the cleaning of presses by publishers and printers. *Chap.* 472

Be it enacted, etc., as follows:

Sanitary cleaning of presses.

All publishers and printers shall use a sanitary cloth or other sanitary material in cleaning their presses.

Approved April 10, 1913.

An Act relative to the taxation of ships and vessels. *Chap.* 473

Be it enacted, etc., as follows:

1909, 490, Part III, § 10, amended.

Section 1. Section ten of Part III of chapter four hundred and ninety of the acts of the year nineteen hundred and nine is hereby amended by striking out the word "May", wherever the same occurs, and inserting in place thereof the word: — April, — and by striking out the word "the", in the seventh line, and inserting in place thereof the words: — interstate or, — so as to read as follows: — *Section 10.* The tax commissioner shall assess annually as of the first day

Excise tax.

of April an excise tax upon the interest of every corporation organized under the laws of this commonwealth and having a place of business therein, in any ship or vessel which has, during the period of its business in the year preceding said first day of April, been engaged in interstate or foreign carrying trade, which tax shall be one third of one per cent upon the value of such interest as it shall be determined by him. Such tax shall become due and shall be collected at the same time and in the same manner as other taxes assessed to such corporations. The president and treasurer of every such corporation owning an interest in any such ship or vessel shall annually, within thirty days after the first day of April, make a return to the tax commissioner, under oath, setting forth in detail the name of the ship or vessel, the interest of the corporation therein, and the value of such interest. If the tax commissioner is satisfied of the truth of the return he shall deduct said value from the fair cash value of the shares of the corporation as estimated by him for the purpose of determining the true value of its corporate franchise under the provisions of this part.

Returns.

1909, 490, Part I, § 7, amended.

SECTION 2. Section seven of Part I of said chapter four hundred and ninety is hereby amended by striking out the word "May", wherever the same occurs, and inserting in place thereof the word: — April, — and by striking out the word "the", in the fourth line, and inserting in place thereof the words: — interstate or, — so as to read as follows: —

Owners of interest in vessels engaged in foreign carrying trade to make return to assessors, etc.

Section 7. Persons or partnerships owning an interest in any ship or vessel which has during the period of its business in the year preceding the first day of April been engaged in interstate or foreign carrying trade shall annually, within thirty days after the first day of April, make a return under oath to the assessors of the city or town where such persons reside or where such partnerships are taxable under the provisions of section twenty-eight, respectively, setting forth the name of the ship or vessel, their interest therein, and the value of such interest. If the assessors are satisfied of the truth of the return they shall assess an excise tax of one third of one per cent upon such interest; and the person or partnership making such return shall be exempt from any tax upon said interest other than that assessed under the provisions of this section.

SECTION 3. This act shall take effect upon its passage.

Approved April 10, 1913.

An Act to prohibit misrepresentation of the terms of insurance policies. *Chap.* 474

Be it enacted, etc., as follows:

Misrepresentation of terms of insurance policies prohibited.

Section 1. No insurance company, association or society, doing business in this commonwealth and no officer, director, agent, broker or solicitor thereof, shall issue, circulate, or use or cause or permit to be used, circulated or issued, any written or oral statement or circular misrepresenting the terms of any policy issued or to be issued by any company, or misrepresenting the benefits or privileges promised under any such policy. No such insurance company, association or society, officer, director, agent, solicitor or broker, shall make any misrepresentation, oral, written or otherwise, to any person insured in any company, for the purpose of inducing or tending to induce a policyholder in any company to lapse, forfeit or surrender his insurance therein.

Penalty.

Section 2. Any insurance company, association or society, agent, solicitor or broker, or any person, firm, association or corporation, violating any provision of this act shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not more than one hundred dollars for each offence.

License may be revoked, etc.

Section 3. The insurance commissioner may, in his discretion, revoke or suspend for a period not exceeding one year a license theretofore issued to any company, association or society, agent or broker, if he is convinced, after a hearing, that such company, association or society, agent or broker, has knowingly or wilfully violated any provision of this act. *Approved April 10, 1913.*

An Act relative to compensating cities and towns for the burial of indigent soldiers, sailors and marines and their wives or widows. *Chap.* 475

Be it enacted, etc., as follows:

1909, 468, § 18, amended.

Section 1. Section eighteen of chapter four hundred and sixty-eight of the acts of the year nineteen hundred and nine is hereby amended by striking out the word "thirty-seven", in the second line, and inserting in place thereof the word: — fifty, — by inserting after the word "made", at the end of the first sentence, the words: — but if the total

expense of the burial, by whomsoever incurred, shall exceed the sum of one hundred dollars, no payment therefor shall be made by the commonwealth, — by striking out the word "It", in the fourth line, and inserting in place thereof the words: — The burial, — and by striking out the word "December", in the twenty-fifth line, and inserting in place thereof the word: — November, — so as to read as follows: — *Section 18.* The expense of such burial shall not exceed fifty dollars, two dollars of which shall be paid as compensation to the burial agent who has caused such interment to be made; but if the total expense of the burial, by whomsoever incurred, shall exceed the sum of one hundred dollars, no payment therefor shall be made by the commonwealth. The burial shall not be made in any cemetery or burial ground which is used exclusively for the burial of the pauper dead, or in any part so used of any cemetery or burial ground. Relatives of the deceased who are unable to bear the expense of burial may be allowed to conduct the funeral. The full amount so expended, the name of the deceased soldier, sailor or marine, the regiment, company or vessel in which he served, the date of death, place of interment, and in case of a wife or widow the name of the husband and date of marriage, and such other details as the commissioner of state aid may require, shall be certified under oath to him, in such manner as he may approve, by the burial agent and the treasurer of the city or town expending the amount, within ninety days after the burial; and said commissioner shall endorse upon the certificate his allowance of such amounts as in his judgment have been paid and reported according to the provisions of this act, and shall transmit such certificate to the auditor. The amounts legally paid and so allowed, with no expense for disbursement, shall be reimbursed by the commonwealth to the several cities and towns on or before the tenth day of November in the year after the expenditures have been made.

Expense of burial limited, etc.

Burial not to be made in certain ground.

Return to be made of amount of expenditure, etc.

Cities and towns to be reimbursed.

SECTION 2. This act shall take effect upon its passage.

Approved April 10, 1913.

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*Chap.*476 AN ACT TO AUTHORIZE THE CITY OF LYNN TO PAY A PENSION TO JOHN HELAN.

Be it enacted, etc., as follows:

City of Lynn may pay a pension to John Helan.

SECTION 1. The city of Lynn may, by vote of its municipal council, pay to John Helan, who was for thirty-five

years an employee in the cemetery department of that city, an annual pension not exceeding half of the average yearly amount paid by the city to the said Helan during the two years preceding his retirement from the service of the city. The said pension may continue during the life of said John Helan, or for such term of years as the municipal council may fix, but it shall not be payable from a date earlier than that of the vote of the municipal council establishing the said pension.

SECTION 2. This act shall take effect upon its passage.

Approved April 10, 1913.

AN ACT TO AUTHORIZE THE CITY OF EVERETT TO INCUR ADDITIONAL INDEBTEDNESS FOR SURFACE DRAINAGE PURPOSES. *Chap.* 477

Be it enacted, etc., as follows:

SECTION 1. The city of Everett, for the purpose of extending and completing its system of surface drainage and disposing of surface water within the city, may incur indebtedness, beyond the limit fixed by law, to an amount not exceeding fifty thousand dollars, and may issue from time to time bonds or notes therefor. Such bonds or notes shall be payable within such periods, not exceeding thirty years from the date thereof, as the city council of the city, with the approval of the mayor, shall determine. They shall be denominated on the face thereof, Everett Surface Drainage Loan, Act of 1913, and shall be signed by the mayor and treasurer and countersigned by the auditor of the city and shall be payable by such annual payments, beginning not more than one year after the date thereof, as will extinguish each loan within thirty years from its date. The amount of such payment of any loan in any year shall not be less than the amount of the principal of the loan payable in any subsequent year. Each authorized issue of bonds or notes shall constitute a separate loan. Said bonds or notes shall bear interest at a rate not exceeding four and one half per cent per annum, payable semi-annually. The city may sell the said securities at public or private sale, upon such terms and conditions as it may deem proper, but they shall not be sold for less than their par value, and the proceeds shall be used only for the purpose herein specified. Everett Surface Drainage Loan, Act of 1913.

SECTION 2. The said city shall, at the time of authorizing said loan or loans, provide for the payment thereof in accordance with section one of this act; and when a Payment of loan.

vote to that effect has been passed, a sum which will be sufficient to pay the annual expense of operating its drainage system and the interest as it accrues on the bonds or notes issued as aforesaid by the city, and to make such payments on the principal as may be required under the provisions of this act, shall, without further vote, be assessed by the assessors of the city annually thereafter, in the same manner in which other taxes are assessed, until the debt incurred by said loan or loans is extinguished.

SECTION 3. This act shall take effect upon its passage.

Approved April 10, 1913.

Chap. 478 AN ACT MAKING FURTHER APPROPRIATIONS FOR DEFICIENCIES IN APPROPRIATIONS FOR CERTAIN EXPENSES AUTHORIZED IN THE YEAR NINETEEN HUNDRED AND TWELVE.

Be it enacted, etc., as follows:

Appropriations.

SECTION 1. The sums hereinafter mentioned are hereby appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, for certain expenses in excess of the appropriations therefor in the year nineteen hundred and twelve, to wit: —

Civil service commission.

For incidental and contingent expenses in the office of the civil service commission, the sum of fourteen hundred forty-two dollars and forty-two cents.

Board of registration in dentistry.

For clerical services, travelling and other expenses of the board of registration in dentistry, the sum of one hundred fifty-five dollars and two cents.

Department of animal industry.

For incidental and contingent expenses in the department of animal industry, the sum of ninety-two dollars and eighty-four cents.

Commissioner of weights and measures.

For certain expenses in the office of the commissioner of weights and measures, the sum of six hundred sixty-three dollars and forty-six cents.

Adjutant general.

For incidental and contingent expenses in the office of the adjutant general, the sum of eight hundred thirty-one dollars and eighty-eight cents.

Rifle practice.

For expenses in connection with the rifle practice of the militia, the sum of fifteen hundred forty-one dollars and forty-six cents.

Protection of lobsters.

For the protection of lobsters with eggs attached, the sum of ten hundred forty-eight dollars and eight cents.

State infirmary.

For current expenses at the state infirmary, the sum of forty-six hundred eighty-one dollars and forty-nine cents.

For current expenses at the Rutland state sanatorium, the sum of thirty-eight hundred ninety-one dollars and sixteen cents. Rutland state sanatorium.

For current expenses at the Lyman school for boys, the sum of eighty-five hundred eighty-seven dollars and ninety-two cents. Lyman school for boys.

For current expenses at the reformatory for women, the sum of two hundred forty-seven dollars and twenty-three cents. Reformatory for women.

For current expenses at the Monson state hospital, the sum of forty-nine hundred sixty-five dollars and seventy-four cents. Monson state hospital.

For current expenses at the Worcester state hospital, the sum of eighty-four hundred ninety-five dollars and twenty cents. Worcester state hospital.

For certain expenses of the Massachusetts commission for the blind, the sum of seventeen hundred nine dollars and eighty-nine cents. Commission for the blind.

SECTION 2. This act shall take effect upon its passage.

Approved April 10, 1913.

AN ACT RELATIVE TO THE LICENSE FEES TO BE PAID BY CERTAIN NON-RESIDENT HUNTERS. *Chap.* 479

Be it enacted, etc., as follows:

SECTION 1. The provisions of section four of chapter six hundred and fourteen of the acts of the year nineteen hundred and eleven, fixing the hunter's license fee for the resident of another state who owns real estate situated in this commonwealth which is assessed for taxation at not less than five hundred dollars, shall also apply to any minor child over eighteen years of age of any such resident. License fees for certain minor children of non-resident hunters.

SECTION 2. This act shall take effect upon its passage.

Approved April 10, 1913.

AN ACT TO ESTABLISH THE SALARY OF THE CLERK IN THE BOILER INSPECTION DEPARTMENT OF THE DISTRICT POLICE. *Chap.* 480

Be it enacted, etc., as follows:

Section three of chapter one hundred and eight of the Revised Laws is hereby amended by adding at the end thereof the following: — to increase by yearly increments of fifty dollars until it reaches the sum of eight hundred dollars: R. L. 108, § 3, amended.

provided, that such increase is approved, from year to year, by him for the efficiency and faithfulness of such clerk, — so as to read as follows: — *Section 3.* The chief of the district police may appoint in his office two clerks, the first, at a salary of fifteen hundred dollars a year, and the second, at a salary of one thousand dollars a year, which shall be paid by the commonwealth. He may also appoint a clerk for service in the boiler inspection department at a salary of six hundred dollars a year, to increase by yearly increments of fifty dollars until it reaches the sum of eight hundred dollars: *provided*, that such increase is approved, from year to year, by him for the efficiency and faithfulness of such clerk. *Approved April 10, 1913.*

Clerks in office of chief of district police, salaries, etc.

Proviso.

Chap. 481 AN ACT TO ESTABLISH THE SALARY OF THE SHERIFF OF THE COUNTY OF BERKSHIRE.

Be it enacted, etc., as follows:

Salary established.

The salary of the sheriff of the county of Berkshire shall be two thousand dollars a year, to be so allowed from the first day of January, in the year nineteen hundred and fourteen. *Approved April 10, 1913.*

Chap. 482 AN ACT TO ESTABLISH THE BOUNDARY LINE BETWEEN THE TOWNS OF CLARKSBURG AND FLORIDA.

Be it enacted, etc., as follows:

Boundary line established.

SECTION 1. The following described line shall hereafter be the boundary line between the towns of Clarksburg and Florida: — Beginning at a granite monument standing on the westerly slope of Florida mountain, in latitude forty-two degrees, forty-four minutes, thirty and ten one hundredths seconds north, and longitude seventy-three degrees, two minutes, fifty-six and one one hundredth seconds west, at the corner of Clarksburg, Florida and Stamford, Vermont; thence south thirteen degrees, forty-five minutes west, true bearing, twelve thousand four hundred and seventy-nine feet to a marble monument standing in a small clearing two hundred feet east of a sharp brow of the Florida mountain range, at the present corner of Clarksburg, Florida and North Adams, and in latitude forty-two degrees, forty-two minutes, thirty and thirty-seven one hundredths seconds

north, and longitude seventy-three degrees, three minutes, thirty-five and seventy-three one hundredths seconds west.

Section 2. This act shall take effect upon its passage.

Approved April 10, 1913.

An Act to establish the salary of the clerk of the police court of Marlborough. *Chap.* 483

Be it enacted, etc., as follows:

Salary established.

Section 1. The salary of the clerk of the police court of Marlborough shall be nine hundred dollars a year.

Section 2. This act shall take effect upon its passage.

Approved April 10, 1913.

An Act to provide for appointments of first assistant assessors in the city of Boston under civil service rules. *Chap.* 484

Be it enacted, etc., as follows:

Appointment, etc., of first assistant assessors in city of Boston.

Section 1. All appointments of first assistant assessors in the city of Boston shall be for an indeterminate period, and shall be subject to the civil service rules established under the provisions of chapter nineteen of the Revised Laws and acts in amendment thereof and in addition thereto.

Present incumbents to continue in office.

Section 2. First assistant assessors in the city of Boston holding office at the time of the passage of this act shall continue to hold office as if appointed under this act.

Repeal.

Section 3. All acts or parts of acts inconsistent herewith are hereby repealed.

Section 4. This act shall take effect upon its passage.

Approved April 11, 1913.

An Act to enlarge the powers and duties of the commissioner of public records. *Chap.* 485

Be it enacted, etc., as follows:

R. L. 35, § 2, amended.

Section 1. Section two of chapter thirty-five of the Revised Laws is hereby amended by striking out the words "twenty-five hundred", in the second line, and inserting in place thereof the words: — three thousand, — and by striking out the words "twenty-five hundred", in the third line,

and inserting in place thereof the words: — three thousand, — so as to read as follows: — *Section 2.* He shall receive from the commonwealth an annual salary of three thousand dollars, and he may expend not more than three thousand dollars annually for such travelling, clerical and other necessary expenses as the governor and council may approve.

Salary and expenses.

R. L. 35, § 3, amended.

Section 2. Section three of said chapter thirty-five is hereby amended by inserting after the word "the", in the second line, the word: — commonwealth, — so as to read as follows: — *Section 3.* He shall take the necessary measures to put the records of the commonwealth, counties, cities, towns, churches, parishes or religious societies in the custody and condition required by law and to secure their preservation, and for that purpose he may expend from the amount appropriated for expenses such amount as he considers necessary.

Duties.

R. L. 35, § 16, amended.

Section 3. Section sixteen of said chapter thirty-five is hereby amended by inserting after the word "of", in the second line, the words: — the commonwealth, or, — and by inserting after the words "of the", in the eleventh line, the words: — commonwealth, or, — so as to read as follows: — *Section 16.* Every person who has the custody of any public record books of the commonwealth, or a county, city or town shall, at its expense, cause them to be properly and substantially bound. He shall have any such books, which may have been left incomplete, made up and completed from the files and usual memoranda, so far as practicable. He shall cause fair and legible copies to be seasonably made of any books which are worn, mutilated or are becoming illegible, and cause them to be repaired, rebound or renovated. He may cause any such books to be placed in the custody of the commissioner of public records, who may have them repaired, renovated or rebound at the expense of the commonwealth, or county, city or town to which they belong. Whoever causes such books to be so completed or copied shall attest them, and shall certify, under oath, that they have been made from such files and memoranda or are copies of the original books. Such books shall then have the force of the original records.

Preservation of worn records.

Section 4. This act shall take effect upon its passage.

Approved April 11, 1913.

An Act to authorize the city of Medford to borrow money for the purpose of constructing a city hall. *Chap.* 486

Be it enacted, etc., as follows:

Medford City Hall Loan, Act of 1913.

Section 1. The city of Medford, for the purpose of purchasing land and erecting thereon a city hall in that city, may issue, from time to time, notes or bonds to an amount not exceeding two hundred thousand dollars, and the same shall not be reckoned in determining the statutory limit of indebtedness of the city. Such notes or bonds shall bear on their face the words, Medford City Hall Loan, Act of 1913, shall be payable by such annual payments, beginning not more than one year after the date thereof as will extinguish each loan within twenty years from its date; and the amount of such annual payment of any loan in any year shall not be less than the amount of the principal of the loan payable in any subsequent year. Each authorized issue of notes or bonds shall constitute a separate loan. Said notes or bonds shall bear interest payable at such rates, not exceeding four and one half per cent per annum, as the board of aldermen shall determine, and shall be signed by the mayor and treasurer and countersigned by the auditor. The city may sell the said securities at public or private sale upon such terms and conditions as it may deem proper, but they shall not be sold for less than their par value, and the proceeds shall be used only for the purpose herein specified.

Payment of loan.

Section 2. The said city shall, at the time of authorizing said loan or loans, provide for the payment thereof in accordance with section one of this act; and when a vote to that effect has been passed, a sum which will be sufficient to pay the interest as it accrues on the bonds or notes issued as aforesaid by the city, and to make such payments on the principal as may be required under the provisions of this act, shall, without further vote, be assessed by the assessors of the city annually thereafter, in the same manner in which other taxes are assessed, until the debt incurred by said loan or loans is extinguished.

Section 3. This act shall take effect upon its passage.

Approved April 11, 1913.

Chap. 487 AN ACT RELATIVE TO THE PROMOTION OF CALL MEN IN THE FIRE DEPARTMENTS OF CITIES AND TOWNS.

Be it enacted, etc., as follows:

Certain call firemen may be appointed to permanent force.

SECTION 1. Cities and towns which have a call or part call fire department which now is or may hereafter be subject to the civil service rules may, on the recommendation of the board of engineers of the fire department or of the officer or board having charge of the fire department, appoint as members of the permanent force without civil service examination any persons who have served as call men or part call men for five or more successive years: *provided*, that such persons are certified by the city or town physician to be competent physically for the duty. If there is no city or town physician, then the said certification shall be made by a physician designated for the purpose by the board of engineers or other authority, as aforesaid.

Proviso.

Not to apply to certain cities and towns.

SECTION 2. This act shall not apply to any city or town in which the promotion of call men to the permanent or regular force is regulated by a special act relating to such city or town.

Not to apply to Boston.

SECTION 3. This act shall not apply to the city of Boston.

Act to be submitted to voters, etc.

SECTION 4. This act shall be submitted to every city or town to which it is applicable at the next municipal election in such city or town, and shall take effect in any such city or town upon its acceptance by a majority of the voters voting thereon. *Approved April 11, 1913.*

Chap. 488 AN ACT TO ESTABLISH THE SALARIES OF THE OFFICERS IN ATTENDANCE AT THE CIVIL SESSIONS OF THE MUNICIPAL COURT OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

1906, 355, § 1, amended.

SECTION 1. Section one of chapter three hundred and fifty-five of the acts of the year nineteen hundred and six is hereby amended by striking out the word "fifteen", in the third line, and inserting in place thereof the word: — seventeen, — so as to read as follows: — *Section 1.* The court officers in attendance at the sessions of the municipal court for civil business in the city of Boston shall each receive an annual salary of seventeen hundred dollars, to be paid from the treasury of the county of Suffolk in monthly instalments, in full for all services performed by them.

Salaries established.

Section 2. This act shall take effect upon its passage.

(This bill, returned by the governor to the house of representatives, the branch in which it originated, with his objections thereto, was passed by the house of representatives April 3, and, in concurrence, by the senate April 9, the objections of the governor notwithstanding, in the manner prescribed by the Constitution; and thereby has the "force of a law".)

An Act relative to the kinds of business which may be done by insurance companies. *Chap.* 489

Be it enacted, etc., as follows:

Section 1. Section thirty-four of chapter five hundred and seventy-six of the acts of the year nineteen hundred and seven, as amended by chapter eighty-one of the acts of the year nineteen hundred and eight, by chapter four hundred and eighty-eight of the acts of the year nineteen hundred and nine, by chapter four hundred and ninety-nine of the acts of the year nineteen hundred and ten, by chapter two hundred and five of the acts of the year nineteen hundred and eleven, and by chapter five hundred and twenty-four of the acts of the year nineteen hundred and twelve, is hereby further amended by inserting, after the clause "*i*", a new clause to be lettered clause "*j*", as follows: — *j*. The kinds of business specified in the sixth clause of section thirty-two, and also insurance against loss or damage by burglary, theft or house breaking, if permitted to transact either kind, and if it has a paid-up capital of not less than three hundred thousand dollars.

1907, 576, § 34, etc., amended.

Clause *j*.

Section 2. This act shall take effect upon its passage.

Approved April 14, 1913.

An Act to authorize the payment of soldiers' relief to William J. Barrett. *Chap.* 490

Be it enacted, etc., as follows:

Section 1. William J. Barrett of Boston, whose father, now deceased, was a veteran of the civil war, and who is himself a cripple, shall be entitled to receive the soldiers' relief which his father was entitled to receive.

Soldiers' relief may be paid to William J. Barrett.

Section 2. This act shall take effect upon its passage.

Approved April 14, 1913.

*Chap.*491 AN ACT RELATIVE TO THE CAPITAL STOCK OF THE WOBURN GAS LIGHT COMPANY.

Be it enacted, etc., as follows:

Capital stock, etc.

SECTION 1. The capital stock of the Woburn Gas Light Company shall be deemed to be the sum of forty-five thousand one hundred dollars, and the outstanding certificates therefor shall be deemed valid, notwithstanding any irregularity in the action of the stockholders at the annual meeting held October thirteenth, in the year eighteen hundred and seventy-four.

SECTION 2. This act shall take effect upon its passage.

Approved April 15, 1913.

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*Chap.*492 AN ACT TO ESTABLISH THE SALARY OF ELIZABETH A. QUIRK AS AGENT OF THE BOARD OF PRISON COMMISSIONERS.

Be it enacted, etc., as follows:

Salary established.

SECTION 1. The annual salary of Elizabeth A. Quirk, agent of the board of prison commissioners, shall be twelve hundred dollars.

SECTION 2. This act shall take effect upon its passage.

Approved April 15, 1913.

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*Chap.*493 AN ACT RELATIVE TO THE BOARD OF PUBLIC WORKS IN THE TOWN OF ANDOVER.

Be it enacted, etc., as follows:

Board of public works in town of Andover, election, terms, etc.

SECTION 1. The action of the town of Andover in accepting the provisions of chapter three hundred and forty-five of the acts of the year nineteen hundred and twelve at its annual town meeting in the current year is hereby ratified and confirmed; but the members of the new board of public works provided for by said chapter shall be elected at a special town meeting to be held during the current year. The members of the board of public works so first elected shall hold office for the terms of one, two and three years, respectively, from the date of the annual town meeting in March, nineteen hundred and thirteen.

Certain officers may continue in office until board is elected, etc.

SECTION 2. Until a board of public works is elected in accordance with the provisions of the said chapter three hundred and forty-five as modified by this act, the board of

public works of the town of Andover, the highway surveyor and the park commissioners in office on the day preceding the annual town meeting in the current year shall be deemed to be the lawful holders of the said offices, and shall continue to hold the same; and their acts as such officers since the annual town meeting in the current year are hereby ratified and confirmed.

Section 3. This act shall take effect upon its passage.

Approved April 15, 1913.

An Act to provide for the establishment of local planning boards by cities and towns. *Chap.* 494

Be it enacted, etc., as follows:

Planning boards of cities and towns, appointment or election, etc.

Section 1. Every city of the commonwealth, and every town having a population of more than ten thousand at the last preceding national or state census, is hereby authorized and directed to create a board to be known as the planning board, whose duty it shall be to make careful studies of the resources, possibilities and needs of the city or town, particularly with respect to conditions which may be injurious to the public health or otherwise injurious in and about rented dwellings, and to make plans for the development of the municipality with special reference to the proper housing of its people. In cities, the said board shall be appointed by the mayor, subject to confirmation by the council, and in cities under a commission form of government, so-called, the members of the board shall be appointed by the governing body of the city. In towns, the members of the board shall be elected by the voters at the annual town meeting.

To make annual report.

Section 2. Every planning board established hereunder shall make a report annually to the city council or governing body in cities and to the annual town meeting in towns, giving information regarding the condition of the city or town and any plans or proposals for the development of the city or town and estimates of the cost thereof; and it shall be the duty of every such local planning board to file a copy of all reports made by it with the homestead commission.

Duties of homestead commission.

Section 3. The homestead commission, created by chapter six hundred and seven of the acts of the year nineteen hundred and eleven, is hereby directed to call the attention of the mayor and city governments in cities and the select-

men in each town having a population of more than ten thousand at the last preceding national or state census to the provisions of this act in such form as may seem proper; and said commission is furthermore authorized and directed to furnish information and suggestions from time to time to city governments and to the selectmen of towns and to local planning boards, when the same shall have been created, such as may, in its judgment, tend to promote the purposes of this act and of those for which the said commission was established.

Ordinances, by-laws, etc.

Section 4. The city council or other governing body in cities is authorized to make suitable ordinances, and towns are authorized to make suitable by-laws, for carrying out the purposes of this act, and they may appropriate money therefor.

Section 5. This act shall take effect upon its passage.

Approved April 16, 1913.

Chap. 495 An Act relative to the Boston and Eastern Electric Railroad Company.

Be it enacted, etc., as follows:

Time for filing certain bond extended.

Section 1. The time for filing the bond after the incorporation of the Boston and Eastern Electric Railroad Company, as provided in section two of chapter five hundred and sixty-four of the acts of the year nineteen hundred and eleven, is hereby extended to the first day of January, nineteen hundred and fourteen, and all the powers, rights and privileges of said company held prior to the first day of April, nineteen hundred and thirteen, shall continue in full force and effect: *provided, however,* that such powers, rights and privileges shall cease on the first day of January, nineteen hundred and fourteen, unless said bond is filed.

Proviso.

Section 2. This act shall take effect upon its passage.

Approved April 16, 1913.

Chap. 496 An Act to increase the salary of the chaplain at the Massachusetts Reformatory.

Be it enacted, etc., as follows:

Salary established.

The salary of Robert Walker, the chaplain at the Massachusetts reformatory, shall be twenty-five hundred dollars

a year, to be so allowed from the first day of January in the year nineteen hundred and thirteen.

(*This bill, returned by the governor to the house of representatives, the branch in which it originated, with his objections thereto, was passed by the house of representatives April 14, and, in concurrence, by the senate, April 16, the objections of the governor notwithstanding, in the manner prescribed by the Constitution; and thereby has the "force of a law".*)

An Act to authorize fire district number one in the town of Greenfield to take additional sources of water supply. *Chap.* 497

Be it enacted, etc., as follows:

Fire District Number One in the town of Greenfield may take additional sources of water supply.

Section 1. Fire District Number One in the Town of Greenfield, for the purpose of obtaining an additional water supply for itself and the inhabitants of the towns of Greenfield and Deerfield for the extinguishment of fires and for domestic and other purposes, may take, or acquire by purchase or otherwise, and hold the waters of the stream known as Green river, in the towns of Greenfield, Colrain and Leyden, or may take a ground water supply by means of wells, filter galleries or other works from the valley of said river, or at any place within the limits of the town of Greenfield, and the water rights connected with any such sources, and may also take or acquire by purchase or otherwise, and hold all lands, rights of way and easements necessary for collecting, storing, holding, purifying and preserving the purity of the water and for conveying the same to said towns: *provided, however,* that no source of water supply and no lands necessary for preserving the quality of the water, shall be taken or used without the advice and approval of the state board of health, and that the situation of all dams, reservoirs, wells or other works to be used as sources of water supply under this act shall be subject to the approval of said board.

Proviso.

May erect structures, lay pipes, etc.

Section 2. Said fire district may construct on the lands acquired and held under the provisions of this act proper dams, reservoirs, standpipes, tanks, buildings, fixtures and other structures, and may make excavations, procure and operate machinery, and provide such other means and appliances and do such other things as may be necessary for the establishment and maintenance of complete and effective

water works; and for that purpose may construct wells and reservoirs and establish pumping works, and may construct, lay and maintain aqueducts, conduits, pipes and other works under or over any land, water courses, railroads, railways and public or other ways, and along such ways in the towns of Greenfield, Deerfield, Colrain and Leyden, in such manner as not unnecessarily to obstruct the same, and for the purpose of constructing, laying, maintaining, operating and repairing such conduits, pipes and other works, and for all proper purposes of this act, said district may dig up or raise and embank any such lands, highways or other ways in such manner as to cause the least hindrance to public travel on such ways; and all things done upon any such ways shall be subject to the direction of the selectmen of the town in which they are situated. Said district shall not enter upon, construct or lay any conduits, pipes or other works within the location of any railroad corporation, except at such time and in such manner as it may agree upon with such corporation, or, in case of failure so to agree, as may be approved by the board of railroad commissioners.

Taking of lands, etc., to be recorded, etc.

SECTION 3. Said fire district shall, within sixty days after the taking of any lands, rights of way, water rights, water sources or easements as aforesaid, file and cause to be recorded in the registry of deeds for the county and district within which such lands or other property are situated, a description thereof sufficiently accurate for identification, with a statement of the purpose for which the same were taken, signed by the chairman of the prudential committee of said fire district. The title to all land taken or acquired in any way under the provisions of this act shall vest in said fire district, and the land so acquired may be managed, improved and controlled by the board of water commissioners of said district in such manner as it shall deem for the best interest of the district.

Damages.

SECTION 4. Said fire district shall pay all damages to property sustained by any person or corporation by the taking of any land, right of way, water, water sources, water right or easement, or by anything done by said district under authority of this act. Any person or corporation sustaining damages as aforesaid, and failing to agree with said district as to the amount thereof, may have the same determined in the manner provided by law in the case of land taken for the laying out of highways, on ap-

plication at any time within the period of two years after the taking of such land or other property, or the doing of other injury under authority of this act; but no such application shall be made after the expiration of the said two years, and no application for the assessment of damages shall be made for the taking of any water, water right, or for any injury thereto, until the water is actually withdrawn or diverted by said district under authority of this act.

Greenfield Fire District Number One, Additional Water Supply Loan, Act of 1913.

Section 5. Said fire district, for the purpose of paying the necessary expenses and liabilities incurred under the provisions of this act and of chapter two hundred and twenty-two of the acts of the year eighteen hundred and seventy, and chapter four hundred and thirty-two of the acts of the year nineteen hundred and ten, and chapter six hundred of the acts of the year nineteen hundred and ten, so far as they may apply, may issue from time to time bonds or notes to an amount not exceeding fifty thousand dollars. Each authorized issue of bonds or notes shall constitute a separate loan. Such bonds or notes shall bear on their face the words, Greenfield Fire District Number One, Additional Water Supply Loan, Act of 1913; shall be payable at the expiration of periods not exceeding twenty years from the dates of issue; shall bear interest, payable semi-annually, at a rate not exceeding five per cent per annum; and shall be signed by the treasurer of the district and countersigned by the prudential committee or a majority thereof. Said district may sell such securities at public or private sale upon such terms as it may deem proper; but they shall not be sold for less than their par value.

Payment of loan.

Section 6. Said fire district shall, at the time of authorizing each loan, provide for the payment thereof in such annual payments beginning not more than one year after the date thereof as will extinguish the same within twenty years from its date; and the amount of any such annual payment of any loan in any year shall not be less than the amount of the principal of said loan payable in any subsequent year. When a vote to the foregoing effect has been passed a sum which, with the income derived from water rates, will be sufficient to pay the annual expenses of operating its water works and the interest as it accrues on the bonds or notes issued as aforesaid by said district, and to make such payments on the principal as may be required under the provisions of this act, shall, without further vote,

be assessed by the assessors of the town of Greenfield annually thereafter in the same manner in which other taxes are assessed, until the debt incurred by said loan or loans is extinguished.

Time of taking effect.

SECTION 7. This act shall take effect upon its acceptance by a majority vote of the voters of said fire district present and voting thereon at a legal meeting called for the purpose within three years after the date of its passage; but it shall become void unless said district shall begin to distribute water to consumers from sources herein authorized within three years after the date of its acceptance. *Approved April 17, 1913.*

Chap. 498 AN ACT RELATIVE TO THE TAXATION OF LEGACIES AND SUCCESSIONS.

Be it enacted, etc., as follows:

1912, 678, § 1, amended.

SECTION 1. Section one of chapter six hundred and seventy-eight of the acts of the year nineteen hundred and twelve is hereby amended by inserting after the word "codicil", in the third line from the end thereof, the words: — or deed or other instrument creating the grant or gift, — so that the last sentence of said section will read as follows: —

Payment of legacy taxes, etc.

All taxes under this act shall be paid out of and chargeable to capital and not income, unless otherwise provided in a will or codicil, or deed or other instrument creating the grant or gift, but nothing herein contained shall affect any right of the commonwealth to collect such tax or lien therefor.

SECTION 2. This act shall take effect upon its passage. *Approved April 17, 1913.*

Chap. 499 AN ACT RELATIVE TO THE USE OF NAMES OR TITLES OF PUBLIC SERVICE CORPORATIONS.

Be it enacted, etc., as follows:

Use of name or title of public service corporations regulated.

SECTION 1. No person, partnership or association owning, holding or controlling shares of stock of any public service corporation shall hereafter use any name or title or other word or words that, in the opinion of the board of commissioners having jurisdiction over the public service corporations the shares of which are or are to be held, owned or controlled by such person, partnership or association, might lead the public to believe that such person, partner-

ship or association is a public service corporation or that its business is that of a public service corporation.

Certain state boards to investigate and determine violations.

Section 2. The board of railroad commissioners, in the case of corporations under its jurisdiction, and the board of gas and electric light commissioners, in the case of corporations under its jurisdiction, the shares of which are or are to be held, owned or controlled by any person, partnership or association specified in section one, are hereby authorized to investigate and determine whether any such person, partnership or association is violating the provisions of section one; and any person, partnership, or association violating any provision of section one shall forfeit to the commonwealth one hundred dollars a day for every day or part thereof during which such violation continues after the determination aforesaid. Any violation of the provisions of section one shall forthwith be reported by the board of commissioners to the attorney-general, after said determination and notice thereof to such person, partnership or association. The said forfeiture may be recovered by an information or other appropriate proceeding brought in the supreme judicial court or superior court in the name of the attorney-general. Upon such information or other proceeding the court may issue an injunction restraining such person, partnership or association from further prosecution of its business within the commonwealth during the pendency of such proceeding or for all time, and may make such other order or decree as equity and justice may require.

Penalty.

Violations to be reported to attorney-general.

Recovery of forfeiture.

Restraining injunctions may issue.

Not to apply to names previously adopted.

Section 3. This act shall not apply to the continued use by any person, partnership, or association, of any name or title which was adopted prior to the passage of this act.

Section 4. This act shall take effect upon its passage.

Approved April 17, 1913.

An Act to authorize the town of Nantucket to supply the district called Siasconset with water. *Chap.* 500

Be it enacted, etc., as follows:

Town of Nantucket may supply water to Siasconset.

Section 1. The town of Nantucket is hereby authorized to supply that part of the town known as Siasconset with water for extinguishing fires and for domestic purposes, and to obtain the said water by the construction and operation of artesian wells, or by such other means as the town may deem expedient, provided that water for domestic purposes

shall be taken only from such sources as shall be approved by the state board of health.

Temporary construction, etc.

SECTION 2. Said town may proceed forthwith with a temporary enlargement of the existing plant of street drinking fountains to meet the exigencies of the present year, at a cost not exceeding two thousand dollars, to be raised by direct taxation in the year in which the work is done, the said work shall be done and the plant shall be operated under the supervision of a special committee selected by the selectmen, as provided by the vote of the town at its annual meeting; and said committee shall have the same powers provided by section four of this act; and shall have power to regulate the use of water, and fix and collect rates to be paid therefor, and to relocate and discontinue hydrants or fountains.

Provision for permanent construction.

SECTION 3. At the annual town meeting following the acceptance of this act the town shall provide for the continued construction of permanent works, and may adopt either of the following methods:

Plan 1.

Plan 1. If said town shall elect to build the water works by annual instalments, as necessity may require, it shall at its annual meeting or at any special meeting, under a proper article in the warrant, raise by direct taxation in that year a sum not less than two thousand five hundred dollars for continuing the permanent work according to the requirements of the time, and shall also raise by taxation such additional sum as, with the income derived from water rates, will be sufficient to pay the annual expense of operating its water works.

Plan 2.

Plan 2. Should the town at any annual meeting elect to complete the water works system at once, it may, for the purpose of paying the necessary expenses and liabilities incurred under the provisions of this act, issue from time to time bonds or notes to an amount not exceeding twenty-five thousand dollars. Each authorized issue of bonds or notes shall constitute a separate loan. Such bonds or notes shall bear on their face the words, Nantucket Water Loan, Act of 1913, and shall be payable at the expiration of periods not exceeding thirty years from the date of each loan, shall bear interest, payable semi-annually, at a rate not exceeding four and one half per cent per annum, and shall be signed by the treasurer of the town, and countersigned by the water commissioners hereinafter provided for. The town

may sell such securities at public or private sale upon such terms and conditions as it may deem proper; but they shall not be sold for less than their par value, and the proceeds shall be used only for the purpose herein specified. Said town shall at the time of authorizing said loan or loans provide for the payment thereof in such annual payments, beginning not more than one year after the date thereof, as will extinguish each loan within thirty years from its date; and the amount of such annual payment of any loan in any year shall not be less than the amount of the principal of said loan payable in any subsequent year. When a vote to the foregoing effect has been passed the amount required thereby shall, without further vote, be assessed by the assessors of said town annually thereafter, in the same manner in which other taxes are assessed, until the debt incurred by said loan is extinguished.

May take waters, etc., lay pipes, etc.

Section 4. The said town may for the above purposes take or acquire by purchase or otherwise, and hold any waters, easements or lands necessary or convenient for the said purposes, and may store, purify and distribute the said water, and may construct, lay and maintain all necessary works, pipes and reservoirs for the said purpose, and may enter upon, obstruct or dig up any lands, ways, railroads or railways, with as little hindrance to public travel as may be necessary. The town shall not enter upon, construct, or lay any conduits, pipes or other works within the location of any railroad corporation, except at such times and in such manner as it may agree upon with such corporation, or, in case of failure so to agree, as may be approved by the board of railroad commissioners.

Taking of land, etc., to be recorded, etc.

Section 5. Said town shall, within ninety days after the taking of any lands, rights of way, water rights, water sources or easements as aforesaid, file and cause to be recorded in the registry of deeds for the county of Nantucket a description thereof sufficiently accurate for identification, with a statement of the purpose for which the same were taken, signed by the water commissioners hereafter provided for; and upon such filing, the property so described shall vest in the said town.

Damages.

Section 6. Said town shall pay all damages to property sustained by any person or corporation by the taking of any lands, right of way, water, water sources, water rights or easement, or by any other thing done by the town under

the authority of this act. Any person or corporation sustaining damages as aforesaid under this act, who fails to agree with said town as to the amount thereof, may have the same assessed and determined in the manner provided by law in the case of land taken for highways, on making application at any time within the period of two years after the taking of such land or other property or the doing of other injury under authority of this act; but no such application shall be made after the expiration of said two years. No application for the assessment of damages shall be made for the taking of any water, water right or for any injury thereto until the water is actually withdrawn or diverted by said town under the authority of this act, provided, that such withdrawal or diverting takes place within said two years.

Town may offer specified sum as damages, etc.

SECTION 7. In every case of a petition to the superior court for an assessment of damages the said town may tender to the petitioner or his attorney any sum, or may bring the same into court, to be paid to the petitioner for the damages by him sustained or claimed in his petition, or may in writing offer to be defaulted and that damages may be awarded against it for the sum therein expressed, and if the petitioner does not accept such sum, with his costs up to that time, but proceeds in his suit, and does not recover greater damages than were so offered or tendered, not including interest on the sum recovered in damages from the date of such offer or tender, the town shall have judgment for its costs after said date, for which execution shall issue; and the petitioner, if he recovers damages, shall be allowed his costs only to the date of such offer or tender.

May raise money by taxation, etc.

SECTION 8. The said town shall raise annually by taxation a sum which, with the income derived from water rates, will be sufficient to pay the current annual expenses of maintaining and operating the said water works and the interest as it accrues on the bonds or notes issued as aforesaid, and such payments on the principal as may be required under the provisions of this act.

Penalty for pollution, etc., of water, etc.

SECTION 9. Whoever uses any water taken under this act without the consent of said town, or wilfully or wantonly corrupts, pollutes or diverts any water taken or held by said town pursuant to the provisions of this act, or destroys or injures any structure, work or other property owned, held or used by the town under the authority of this act, shall for-

feit and pay to the town three times the amount of damages assessed therefor, to be recovered in an action of tort; and upon conviction of any of the above wilful or wanton acts shall be punished by a fine not exceeding three hundred dollars or by imprisonment for a term not exceeding one year.

Act to be submitted to voters.

Section 10. This act shall be submitted to the voters of the said town at a special town meeting to be called for the purpose by the selectmen of the town, of which the voters shall be notified by the posting of written or printed notice thereof in not less than ten conspicuous places in the town, not less than three days before the meeting. If at any such meeting this act shall be accepted by a majority of the voters voting thereon, the voters shall then proceed to elect a board of three water commissioners who, subject to the direction of the town, shall carry out the provisions of this act, and shall have charge of the construction, maintenance and operation of the said water works under the plan adopted by the town. Of the said commissioners one shall be elected to serve for three years, one for two years and one for one year from the annual town meeting succeeding the meeting at which they are elected; and at every annual town meeting thereafter a commissioner, or commissioners, shall be elected to fill vacancies then existing, and the commissioners so elected shall serve for the term of three years and until their successors are elected.

Water commissioners, election, terms, etc.

Time of taking effect.

Section 11. This act shall take effect upon its passage, so far as respects its submission as aforesaid; and it shall take full effect upon its acceptance by a majority of the voters of the town as above provided.

Approved April 17, 1913.

An Act to establish the office and salary of the chief deputy sheriff for attendance upon the superior court of the county of Suffolk. *Chap.* 501

Be it enacted, etc., as follows:

Chief deputy sheriff, appointment, duties, etc.

Section 1. The sheriff of the county of Suffolk may appoint one of the court officers of the superior court to act as chief deputy sheriff for attendance on the superior court of said county. Such officer, under the orders of the sheriff, and in addition to his regular duties as a court officer, shall supervise, direct and assign the officers of the said court. The said chief deputy sheriff shall hold

his office subject to the provisions of chapter one hundred and thirty-four of the acts of the year nineteen hundred and twelve. He shall be paid by the county in equal monthly instalments the sum of twenty-one hundred dollars a year.

Salary.

SECTION 2. This act shall take effect upon its passage.

(*This bill, returned by the governor to the house of representatives, the branch in which it originated, with his objections thereto, was passed by the house of representatives April 15, and, in concurrence, by the senate April 17, the objections of the governor notwithstanding, in the manner prescribed by the Constitution; and thereby has the "force of a law".*)

Chap. 502 AN ACT RELATIVE TO THE MEASURING OF LEATHER.

Be it enacted, etc., as follows:

Measurers of leather, appointment, etc.

SECTION 1. The mayor of a city or the selectmen of a town, upon the request of two or more voters thereof, shall annually appoint one or more measurers of leather who have been certified by the commissioner of weights and measures as fit persons for such appointment, and who shall be sworn to the faithful performance of their duty. The commissioner of weights and measures may at any time, for cause, revoke such certificate of fitness, and such revocation shall immediately render such appointment null and void.

May measure leather in any city or town.

SECTION 2. A measurer of leather for one city or town may measure leather in any other city or town in the commonwealth.

Duties.

SECTION 3. Each measurer, upon request, shall go to any place within the city or town for which he is appointed and there ascertain the area of each skin or side or other portion of leather submitted to him. For this purpose, he shall use only such racks, measures or mechanical devices as have been tested and sealed as required by law, and he shall mark or cause each skin or side or other portion of leather to be marked with indelible figures giving the measurement thereof in square feet, including fractions as small as one quarter of a foot. After the area of any skin or side or other portion of leather has been determined as aforesaid, it shall be permissible to add one quarter of a foot to such measurement for any remaining fraction greater than one eighth of a foot; but no such remaining fraction of less than one eighth of a foot shall be added or included in such measurement.

SECTION 4. Whoever sells or offers leather for sale by measure shall cause the same to be measured by a sworn measurer unless such leather has previously been measured by a sworn measurer of a city or town in this commonwealth, or by some person lawfully appointed for that purpose in any other of the United States; and whoever sells or offers for sale leather which has not been measured as aforesaid, unless such measurement has been expressly waived in writing by the buyer and seller thereof, shall be subject to a fine of not less than ten nor more than fifty dollars for each offence. Penalty for selling, etc., leather not measured, etc.

SECTION 5. Whoever counterfeits, or, not being a sworn measurer, alters or defaces with intent to deceive, a measurer's marks on a skin or side or other portion of leather shall be fined twenty-five dollars for each offence. Penalty for counterfeiting, etc., measurer's marks.

SECTION 6. Chapter fifty-nine of the Revised Laws is hereby repealed. Repeal.

SECTION 7. This act shall take effect on the first day of July, nineteen hundred and thirteen. Time of taking effect.

Approved April 21, 1913.

AN ACT RELATIVE TO THE TESTING AND SEALING OF MECHANICAL DEVICES FOR MEASURING LEATHER. *Chap.* 503

Be it enacted, etc., as follows:

SECTION 1. The provisions of chapter sixty-two of the Revised Laws and of the amendments thereof relative to the testing and sealing of weights, measures and balances shall apply to all machines and other forms of measuring devices which are used or intended to be used for determining the measurement of leather bought, sold or offered for sale in this commonwealth. All such devices shall be tested as to the correctness of measures indicated by them at least semi-annually by a sealer of weights and measures of the city or town in which they are used, or intended to be used, and the commissioner of weights and measures is empowered to make such rules and regulations as he may deem necessary to insure the greatest possible accuracy in the use of said devices. Mechanical devices for measuring leather to be tested and sealed, etc.

SECTION 2. The sealer of weights and measures shall test the said devices according to such methods as may be prescribed or approved by the commissioner of weights and measures, and shall seal the same if found correct. He shall mark, condemn, or seize the same if incorrect, in accord- Duties of sealer of weights and measures.

ance with the provisions of said chapter sixty-two applicable to weights, measures and balances, and all penalties imposed by said chapter and the amendments thereof for violation of the provisions thereof relative to weights, measures and balances shall also be applicable to the said devices.

Fee.

SECTION 3. The sealer of weights and measures shall collect a fee of one dollar for every device sealed under the provisions of this act, and such fees shall be subject to the provisions of sections thirty-four and thirty-five of said chapter sixty-two.

Time of taking effect.

SECTION 4. This act shall take effect on the first day of July, nineteen hundred and thirteen.

Approved April 21, 1913.

Chap. 504 AN ACT RELATIVE TO THE SALE OF MOLLUSKS TAKEN FROM POLLUTED WATERS.

Be it enacted, etc., as follows:

1907, 285, § 4, amended.

Section four of chapter two hundred and eighty-five of the acts of the year nineteen hundred and seven is hereby amended by striking out the words "taken under the provisions of this act", in the third line, and inserting in place thereof the following: — taken from waters proscribed as contaminated and subject to the provisions of section one hundred and thirteen of chapter ninety-one of the Revised Laws, — so as to read as follows: — *Section 4.* Whoever sells, or exchanges, or exposes or offers for sale or exchange, or buys any clams or quahaugs, taken from waters proscribed as contaminated and subject to the provisions of section one hundred and thirteen of chapter ninety-one of the Revised Laws, shall be punished by a fine of not more than one hundred dollars, or by imprisonment for a term not exceeding three months, or by both such fine and imprisonment.

Penalty for sale, etc., of clams, etc., taken from polluted waters.

Approved April 21, 1913.

Chap. 505 AN ACT TO RATIFY THE ISSUE OF WATER LOAN BONDS BY THE TOWN OF FALMOUTH.

Be it enacted, etc., as follows:

Issue of certain water loan bonds by town of Falmouth legalized.

SECTION 1. The issue of bonds by the town of Falmouth to the amount of fifty-five thousand dollars, under a vote of the town taken September seventeenth, nineteen hundred and twelve, the bonds being denominated, Town of Fal-

mouth Water Loan, Act of 1912, and being payable as follows: — one thousand dollars on the first day of November of each year beginning with the year nineteen hundred and thirteen and ending with the year nineteen hundred and seventeen, and two thousand dollars on the first day of November in each year beginning with the year nineteen hundred and eighteen and ending with the year nineteen hundred and forty-two, is hereby authorized and declared valid.

Section 2. This act shall take effect upon its passage.

Approved April 21, 1913.

An Act to ratify the issue of certain school loan bonds of the town of Framingham. *Chap.* 506

Be it enacted, etc., as follows:

Section 1. The issue of bonds by the town of Framingham, pursuant to the provisions of chapter sixty-one of the acts of the year nineteen hundred and eleven, to the amount of sixty-five thousand dollars, under votes of the town taken August twenty-eighth, nineteen hundred and twelve, the said bonds being designated as Framingham Grade School Loan, Act of 1911, and being for one thousand dollars each and payable in the order of their numbers, four on the sixteenth day of September of each year from nineteen hundred and thirteen to nineteen hundred and seventeen, both inclusive, and three on the sixteenth day of September of each year from nineteen hundred and eighteen to nineteen hundred and thirty-two, both inclusive, is hereby authorized and declared valid.

Issue of certain school loan bonds by town of Framingham legalized.

Section 2. This act shall take effect upon its passage.

Approved April 21, 1913.

An Act to ratify the issue of certain sewer loan bonds of the town of Framingham. *Chap.* 507

Be it enacted, etc., as follows:

Section 1. The issue of bonds by the town of Framingham, pursuant to the provisions of chapter six hundred and one of the acts of the year nineteen hundred and twelve, to the amount of thirty thousand dollars, under votes of the town taken August twenty-eighth, nineteen hundred and twelve, the said bonds being designated as Town of Fram-

Issue of certain sewer loan bonds by town of Framingham legalized.

ingham Sewer Loan, Act of 1912, and being for one thousand dollars each, and payable in the order of their numbers, one on September sixteenth, nineteen hundred and thirteen, twelve on September sixteenth, nineteen hundred and fourteen, and one on September sixteenth of each year thereafter, until and including September sixteenth, nineteen hundred and thirty-one, is hereby authorized and declared valid.

SECTION 2. This act shall take effect upon its passage.

Approved April 21, 1913.

Chap. 508 AN ACT TO ESTABLISH THE DISTRICT COURT OF NANTUCKET.

Be it enacted, etc., as follows:

District Court of Nantucket established.

SECTION 1. The county of Nantucket shall constitute a judicial district, under the jurisdiction of a court to be called the District Court of Nantucket.

Justices, etc.

SECTION 2. There shall be one justice, who shall receive an annual salary of five hundred dollars, and one special justice. All the provisions of law applicable to district courts shall apply to said court, except as may otherwise be provided herein.

Sittings of court.

SECTION 3. Sittings of the said court for criminal business shall be held in the town of Nantucket daily, except on Sundays and legal holidays. Sittings of the court for civil business shall be held each week in the town of Nantucket, and as required by law, and on such other days as may be fixed by rule of court.

First session.

SECTION 4. The first session of the court shall be held on the first day of January in the year nineteen hundred and fourteen; but nothing in this act shall affect any suit or other proceeding begun prior to that date.

Act to be submitted to voters, etc.

SECTION 5. This act shall be submitted to the voters of the county of Nantucket at the annual state election in the current year, and if accepted by a majority of the voters voting thereon it shall take effect immediately so far as the appointment and qualifying of the justices of the court are concerned, and for the remainder of the act it shall take effect on the first day of January in the year nineteen hundred and fourteen.

Time of taking effect.

Approved April 21, 1913.

An Act to extend the authority of the board of railroad commissioners and the board of gas and electric light commissioners. *Chap.* 509

Be it enacted, etc., as follows:

Board of railroad commissioners to examine books etc., of certain voluntary associations and express trusts.

Section 1. The board of railroad commissioners shall have authority by its members or duly authorized employees to investigate and examine the books, accounts, contracts, records and memoranda of the trustees of any voluntary association or express trust under a written instrument or declaration of trust the beneficial interest whereof is divided into transferable certificates of participation or shares, who own or hold the capital stock or any part thereof of a railroad, street railway, electric railroad or elevated railway corporation which is under the supervision of said board, and may require said trustees to furnish such reports and information as the board shall from time to time direct with respect to the relations and dealings between such trustees and any such corporation.

Board of gas and electric light commissioners to examine books, etc., of certain voluntary associations and express trusts.

Section 2. In like manner and to the same extent, the board of gas and electric light commissioners shall have authority by its members or duly authorized employees to investigate and examine the books, accounts, contracts, records and memoranda of the trustees of any such voluntary association or express trust who own or hold the capital stock, or any part thereof, of a gas or electric corporation which is under the supervision of said board, and may require such trustees to furnish such reports and information as the board shall from time to time direct with respect to the relations and dealings between such trustees and any such corporation.

Board of railroad commissioners to examine books, etc., of certain ownerships, etc., in public service corporations under its supervision.

Section 3. The board of railroad commissioners shall have authority by its members or its duly authorized employees to investigate and examine the books, accounts, contracts, records and memoranda of any partnership, express trust, voluntary association or corporation which is under the same ownership, control or management as a railroad, street railway, electric railroad or elevated railway corporation subject to the supervision of said board, in respect of the relations and of any contracts and dealings between such railroad, street railway, electric railroad, or elevated railway corporation and such partnership, express trust, voluntary association or corporation, and in relation

Reports required.

thereto may require from such partnership, express trust, voluntary association or corporation such reports and information as the board shall from time to time direct.

Board of gas and electric light commissioners to examine books, etc., of certain ownerships in public service corporations under its supervision.

SECTION 4. In like manner and to the same extent, the board of gas and electric light commissioners shall have authority by its members or duly authorized employees to investigate and examine the books, accounts, contracts, records and memoranda of any partnership, express trust, voluntary association, or corporation which is under the same ownership, control or management as a gas or electric corporation subject to the supervision of said board, in respect of the relations and of any contracts and dealings between such gas or electric corporation and such partnership, express trust, voluntary association or corporation, and in relation thereto may require such partnership, express trust, voluntary association or corporation to furnish such reports and information as the board shall from time to time direct.

Reports required.

Penalty.

SECTION 5. A railroad, street railway, electric railroad, elevated railway, gas or electric corporation, or a partnership or corporation or the trustees of an express trust or voluntary association, mentioned or described in the foregoing sections, which refuses or neglects to submit its or their books, accounts, contracts, records and memoranda to the investigation and examination of the board thereto duly authorized as hereinbefore provided, or to furnish such reports and information as the board thereto duly authorized shall from time to time direct and require, shall forfeit not more than five thousand dollars for every such refusal or neglect.

Supreme judicial court to have jurisdiction in equity to enforce provisions.

SECTION 6. The supreme judicial court shall have jurisdiction in equity to enforce compliance with the provisions of this act and with all orders of the board of railroad commissioners or of the board of gas and electric light commissioners made under authority of this act.

Construction of act.

SECTION 7. Nothing contained in this act shall be construed as authorizing, requiring or justifying the board of railroad commissioners or the board of gas and electric light commissioners in making any recommendations, rulings or orders with respect to the rates charged or the service furnished by any corporation subject to the supervision of either of said boards, to take into consideration in any respect whatsoever any certificates of participation or shares

issued under a declaration of trust and representing the beneficial interest in the stock, bonds, notes or other securities of such corporation, or the investment in such certificates or shares.

Section 8. This act shall take effect upon its passage.

Approved April 21, 1913.

An Act relative to local collectors of insurance companies. *Chap.* 510

Be it enacted, etc., as follows:

License or fee not required of certain collectors of insurance companies.

No license or fee shall be required of or for a local collector of an insurance company if such collector's sole service to the company is the collection and remittance of premiums and the giving of receipts therefor.

Approved April 21, 1913.

An Act to authorize the town of Fairhaven to establish or purchase a water supply system. *Chap.* 511

Be it enacted, etc., as follows:

Town of Fairhaven may supply itself with water.

Section 1. The town of Fairhaven may supply itself and its inhabitants with water for extinguishing fires and for domestic, manufacturing and other purposes; may for that purpose construct dams or reservoirs or sink wells; may erect buildings and fixtures; may procure and operate machinery; may lay and maintain pipes and mains, may establish fountains and hydrants, and may provide such other means and appliances as may be necessary for the establishment and maintenance of complete and effective water works: *provided*, that the situation of all wells, reservoirs and dams to be constructed or used under the provisions of this act shall be subject to the approval of the state board of health; and *provided, also*, that the town shall not enter upon, construct or lay any conduits, pipes or other works within the location of any railroad corporation except at such times and in such manner as it may agree upon with such corporation, or in case of a failure so to agree, as may be approved by the board of railroad commissioners.

Provisos.

May acquire property of Fairhaven Water Company, etc.

Section 2. The town, for the purposes aforesaid, shall have the right at any time to take, or to acquire by purchase or otherwise, the franchise, corporate property and all the rights and privileges of the Fairhaven Water Company on payment to said corporation of the actual cost

of its franchise, works and property of all kinds held under the provisions of its act of incorporation, including in such cost interest on each expenditure from its date to the date of said purchase or taking, as herein provided, at the rate of five per cent per annum. If the cost of maintaining and operating the works of said corporation has exceeded or shall hereafter exceed in any fiscal year the income derived from said works by said corporation for that year, then such excess shall be added to the total cost to be paid by the town as above provided; and if the income derived from said works by said corporation has exceeded or shall hereafter exceed in any fiscal year the cost of maintaining and operating the works for that year, then such excess shall be deducted from the total cost. If said corporation has incurred indebtedness, the amount of such indebtedness outstanding at the time of the taking or purchase under this act shall be assumed by said town, and shall be deducted from the amount required to be paid by the town to said corporation under the foregoing provisions of this section. If the town acquires the franchise, rights and property of the said corporation, it shall also assume and be subject to the liabilities and obligations of the corporation. This authority to purchase or take the said franchise and property is granted on condition that the proposed purchase or taking is assented to by the town by a two thirds vote of the voters present and voting thereon at a meeting legally called for the purpose.

May purchase water from city of New Bedford, etc.

SECTION 3. The said town, for the purposes aforesaid, is also authorized to purchase water from the city of New Bedford, and the city of New Bedford is authorized to sell and deliver water from its municipal water supply to the town of Fairhaven upon such terms and conditions as may mutually be agreed upon by the board of water commissioners of the town of Fairhaven, to be constituted as hereinafter provided, and the New Bedford water board. The said city, by its water board, is hereby authorized to construct such conduits and provide such other appliances as may be necessary to deliver the water so purchased.

Town of Fairhaven Water Loan, Act of 1913.

SECTION 4. Said town may, for the purpose of paying the necessary expenses and liabilities incurred under the provisions of this act, issue from time to time bonds or notes to an amount not exceeding one hundred and fifty thousand dollars. Such bonds or notes shall bear on their face the words, Town of Fairhaven Water Loan, Act of 1913, and

each bond or note shall be payable at the expiration of a period not exceeding thirty years from its date, shall bear interest, payable semi-annually, at a rate not exceeding five per cent per annum, and shall be signed by the treasurer of the town and countersigned by the water commissioners hereinafter provided for. The town may sell the said securities at public or private sale upon such terms and conditions as it may deem proper; but they shall not be sold for less than their par value, and the proceeds of the sale shall be used only for the purpose herein specified.

Payment of loan.

Section 5. Said town shall, at the time of authorizing said loan or loans, provide for the payment thereof in accordance with section four of this act; and when a vote to that effect has been passed, a sum which, with the income derived from water rates, will be sufficient to pay the annual expense of operating its water works and the interest as it accrues on the bonds or notes issued as aforesaid by the town, and to make such payments on the principal as may be required under the provisions of this act, shall, without further vote, be assessed by the assessors of the town annually thereafter, in the same manner in which other taxes are assessed, until the debt incurred by said loan or loans is extinguished.

Selectmen to constitute board of water commissioners.

Section 6. The selectmen shall constitute the board of water commissioners, and all authority granted to the town under the provisions of this act, and not otherwise provided for, shall be vested in and may be exercised by the said board. A majority of the said board shall constitute a quorum for the transaction of business. The said water commissioners shall receive such compensation for their services as the town may from time to time determine at any regular meeting in the call for which notice of said proposed action has been given.

Quorum.

Compensation.

Board of water commissioners may be established if town so votes.

Section 7. If, however, the voters of the town so vote at any annual meeting subsequent to the meeting at which this act is accepted, in the warrant for which a proper article has been inserted, the town may establish a board of water commissioners to consist of three persons to be elected at the same meeting at which the town votes to establish the said board, as follows: one to be elected for a term of three years, one for a term of two years, and one for a term of one year; and thereafter, at every annual town meeting, the town shall elect one water

Election, terms, etc.

commissioner for a term of three years. The provisions of the preceding section and of other sections of this act applying to the selectmen acting as water commissioners shall apply to the board of water commissioners elected under the provisions of this section, and after their election and qualification the selectmen shall cease to be water commissioners.

Powers and duties, etc.

SECTION 8. Said commissioners shall superintend the construction, execution and performance of all the works, matters and things named in the preceding sections, but they shall be subject to such by-laws, rules and regulations as the town may from time to time establish, not inconsistent with the provisions of this act and the laws of the commonwealth. The said commissioners shall make all contracts in the name and on behalf of the town, but shall make no contract which involves the expenditure of money unless the town shall have previously made an appropriation sufficient therefor, or unless there are funds standing to the credit of the water department, derived from water rates or otherwise, sufficient to cover such expenditure. Said commissioners shall fix just and equitable rates and prices for the use of water and shall prescribe the time and manner of payment. All receipts for the use of water shall be credited to a separate account, and all money received therefrom shall be spent under the direction of the water commissioners. Said commissioners shall annually, and as often as the town may require, render an account of their doings.

Proceedings in case town and Fairhaven Water Company cannot agree.

SECTION 9. In case the said Fairhaven Water Company and the said town shall be unable to agree upon the amount to be paid to the company for the franchise, corporate property and other rights and privileges to be acquired by the town under authority of this act, the said water company and the town shall both have the right to have the amount so to be paid adjusted and settled by arbitration. In such case the said town and the said Fairhaven Water Company shall each appoint one appraiser, and the two appraisers so chosen shall select as the third appraiser some person who has served for at least ten years as the superintendent of a water company or of a municipal water department within this commonwealth. The expense of such arbitration shall be borne equally by the said town and the said Fairhaven Water Company, and the sum so paid by the town shall be a part of the expense which the

town is authorized to incur under the provisions of this act.

Penalty for pollution, etc., of water, etc.

SECTION 10. Whoever uses any water taken under authority of this act without the consent of the town, or wilfully or wantonly corrupts, pollutes or diverts any water taken or held by said town pursuant to the provisions of this act, or destroys or injures any structure, work or other property owned, held or used by the town under the authority and for the purposes of this act, shall forfeit and pay to the town three times the amount of the damages so caused, to be recovered in an action of tort; and upon conviction of either of the above wilful or wanton acts shall also be punished by a fine not exceeding three hundred dollars, or by imprisonment for a term not exceeding one year.

Repeal.

SECTION 11. Sections nine, ten, eleven, and twelve of chapter one hundred and ninety-six of the acts of the year eighteen hundred and eighty-eight, and section two of chapter two hundred and thirty-two of the acts of the year eighteen hundred and ninety-three, are hereby repealed.

Act to be submitted to voters of the town.

SECTION 12. This act shall be submitted to the voters of the town of Fairhaven within one year after its passage, either at a special meeting called for the purpose by the selectmen in the same manner in which the annual town meeting is called, or at an annual town meeting; and shall take effect upon its acceptance by a majority of the voters present and voting thereon. The warrant for notification of the said meeting, if it be a special meeting, shall specify the object of the meeting and shall state when the polls will be open for the purpose of voting and when they will be closed. The polls shall be open for at least two hours at some convenient time during the day or evening. The number of meetings called for the purpose of voting upon the question of the acceptance of this act shall not exceed two.

Calling of meeting, etc.

Approved April 21, 1913.

AN ACT TO AUTHORIZE THE CITY OF TAUNTON TO BORROW MONEY FOR SCHOOL PURPOSES. *Chap.* 512

Be it enacted, etc., as follows:

Taunton School Loan, Act of 1913.

SECTION 1. The city of Taunton, for the purpose of constructing and equipping, together with other expenses incident thereto, a schoolhouse on Monroe street in that city, may issue from time to time notes or bonds to an

amount not exceeding one hundred thousand dollars, and the same shall not be reckoned in determining the statutory limit of indebtedness of the city. Such notes or bonds shall bear on their face the words, Taunton School Loan, Act of 1913, shall be payable by such annual payments, beginning not more than one year after the date thereof, as will extinguish each loan within twenty years from its date; and the amount of such annual payment of any loan in any year shall not be less than the amount of the principal of said loan payable in any subsequent year. Each authorized issue of bonds or notes shall constitute a separate loan. Said bonds or notes shall bear interest at a rate not exceeding four and one half per cent per annum, payable semi-annually; and shall be signed by the treasurer of the city and countersigned by the mayor and a majority of the municipal council. The city may sell the said securities at public or private sale, upon such terms and conditions as it may deem proper, but they shall not be sold for less than their par value, and the proceeds shall be used only for the purpose herein specified.

Payment of loan.

SECTION 2. Said city shall, at the time of authorizing said loan or loans, provide for the payment thereof in accordance with section one of this act; and when a vote to that effect has been passed, a sum which will be sufficient to pay the interest as it accrues on the bonds or notes issued as aforesaid by the city, and to make such payments on the principal as may be required under the provisions of this act, shall, without further vote, be assessed by the assessors of the city annually thereafter, in the same manner in which other taxes are assessed, until the debt incurred by said loan or loans is extinguished.

SECTION 3. This act shall take effect upon its passage.

Approved April 21, 1913.

Chap. 513 AN ACT TO AUTHORIZE THE TOWN OF WELLESLEY TO MAKE AN ADDITIONAL WATER LOAN.

Be it enacted, etc., as follows:

Town of Wellesley Water Loan, Act of 1913.

SECTION 1. The town of Wellesley, for the purposes authorized by chapter one hundred and sixty-six of the acts of the year eighteen hundred and eighty-three, and by chapter one hundred and two of the acts of the year eighteen hundred and ninety-seven, may issue, from time to time,

bonds or notes to an amount not exceeding one hundred and fifty thousand dollars in addition to the amounts heretofore authorized by law to be issued by said town for water supply purposes. Bonds or notes issued under authority of this act shall bear on their face the words, Town of Wellesley Water Loan, Act of 1913, shall be payable by such annual payments, beginning not more than one year after the date thereof, as will extinguish each loan within twenty years from its date; and the amount of such annual payment of any loan in any year shall not be less than the amount of the principal of said loan payable in any subsequent year. Each authorized issue of bonds or notes shall constitute a separate loan. Said bonds or notes shall bear interest at a rate not exceeding four and one half per cent per annum, payable semi-annually; and shall be signed by the treasurer of the town and countersigned by a majority of the water and municipal light commissioners. The town may sell the said securities at public or private sale, upon such terms and conditions as it may deem proper, but they shall not be sold for less than their par value, and the proceeds shall be used only for the purpose herein specified.

Payment of loan.

Section 2. Said town shall, at the time of authorizing said loan or loans, provide for the payment thereof in accordance with section one of this act; and when a vote to that effect has been passed, a sum which, with the income derived from water rates, will be sufficient to pay the annual expense of operating its water works, and the interest as it accrues on the bonds or notes issued as aforesaid by the town, and to make such payments on the principal as may be required under the provisions of this act, shall, without further vote, be assessed by the assessors of the town annually thereafter, in the same manner in which other taxes are assessed, until the debt incurred by said loan or loans is extinguished.

Section 3. This act shall take effect upon its passage.

Approved April 21, 1913.

An Act to authorize the town of Needham to make an additional water loan. *Chap.* 514

Be it enacted, etc., as follows:

Needham Water Loan, Act of 1913.

Section 1. The town of Needham, for the purposes mentioned in chapter one hundred and seven of the acts of the year eighteen hundred and eighty-eight and acts in

addition thereto, and for the further purpose of improving and extending the water system thereby authorized, may issue from time to time notes or bonds, to be denominated on the face thereof, Needham Water Loan, Act of 1913, to an amount not exceeding fifty thousand dollars in addition to the amount heretofore authorized by law to be issued by said town for the same purposes. Such notes or bonds shall be payable by such annual payments, beginning not more than one year after the date thereof, as will extinguish each loan within thirty years from its date; and the amount of such annual payment of any loan in any year shall not be less than the amount of the principal of said loan payable in any subsequent year. Each authorized issue of bonds or notes shall constitute a separate loan. Said bonds or notes shall bear interest at a rate not exceeding four and one half per cent per annum, payable semi-annually; and shall be signed by the treasurer of the town and countersigned by a majority of the water commissioners. The town may sell such bonds or notes at public or private sale, upon such terms and conditions as it may deem proper, but they shall not be sold for less than their par value, and the proceeds shall be used only for the purpose herein specified.

Payment of loan.

SECTION 2. Said town shall, at the time of authorizing said loan or loans, provide for the payment thereof in accordance with section one of this act; and when a vote to that effect has been passed, a sum which with the income derived from water rates will be sufficient to pay the annual expense of operating its water works and the interest as it accrues on the bonds or notes issued as aforesaid by the town, and to make such payments on the principal as may be required under the provisions of this act, shall, without further vote, be assessed by the assessors of the town annually thereafter, in the same manner in which other taxes are assessed, until the debt incurred by said loan or loans is extinguished.

SECTION 3. This act shall take effect upon its passage.

Approved April 21, 1913.

Chap. 515 AN ACT RELATIVE TO THE GRANTING OF INJUNCTIONS AND TEMPORARY RESTRAINING ORDERS.

Be it enacted, etc., as follows:

Notice of preliminary injunction or temporary restraining

SECTION 1. No preliminary injunction shall be granted without notice to the opposite party. No temporary restraining order shall be granted without notice to the opposite

party, unless it shall clearly appear from specific facts, shown by affidavit or by the verified bill, that immediate and irreparable loss or damage will result to the applicant before the matter can be heard on notice. In case a temporary restraining order shall be granted without notice, in the contingency specified, the matter shall be made returnable at the earliest possible time, and in no event later than ten days from the date of the order, and shall take precedence of all matters except older matters of the same character. When the matter comes up for hearing the party who obtained the temporary restraining order shall proceed with his application for a preliminary injunction, and if he does not do so the court shall dissolve the temporary restraining order. Upon two days' notice to the party obtaining such temporary restraining order, the opposite party may appear and move the dissolution or modification of the order, and in that event the court or judge shall proceed to hear and determine the motion as expeditiously as the ends of justice may require. Every temporary restraining order shall be filed forthwith in the clerk's office.

Order to be given to opposite party, etc.

Section 2. All acts and parts of acts inconsistent herewith are hereby repealed. *Approved April 21, 1913.*

Repeal.

An Act relative to the filing of acceptances by certain candidates nominated at state primaries. *Chap.* 516

Be it enacted, etc., as follows:

Section 1. Section one of chapter two hundred and seventy-three of the acts of the year nineteen hundred and twelve is hereby amended by striking out the words "within seventy-two hours after the date on which the primary was held", in the sixth and seventh lines, and inserting in place thereof the words: — before the last hour for filing nominations for the office for which the candidate is nominated, — so as to read as follows: — *Section 1.* No person whose name is not printed on a state primary ballot as a candidate for nomination for any office shall be entitled to have his name printed on the ballot to be used at a state election as a candidate for that office unless he files in the office of the secretary of the commonwealth, before the last hour for filing nominations for the office for which the candidate is nominated, a written acceptance of the nomination.

1912, 273, § 1, amended.

Filing of acceptance of nomination.

Section 2. This act shall take effect upon its passage. *Approved April 21, 1913.*

Chap. 517 AN ACT RELATIVE TO THE TAKING OF RAZOR FISH, SO-CALLED.

Be it enacted, etc., as follows:

R. L. 91, § 85, amended.

Section eighty-five of chapter ninety-one of the Revised Laws is hereby amended by inserting after the word "quahaugs", in the fourth line, the words: — razor fish, so-called, — so as to read as follows: — *Section 85.* The mayor and aldermen of cities and the selectmen of towns, if so instructed by their cities and towns, may, except as provided in the two preceding sections, control, regulate or prohibit the taking of eels, clams, quahaugs, razor fish, so-called, and scallops within the same; and may grant permits prescribing the times and methods of taking eels and such shell fish within such cities and towns and make such other regulations in regard to said fisheries as they may deem expedient. But an inhabitant of the commonwealth, without such permit, may take eels and the shell fish above named for his own family use from the waters of his own or any other city or town, and may take from the waters of his own city or town any of such shell fish for bait, not exceeding three bushels, including shells, in any one day, subject to the general rules of the mayor and aldermen and selectmen, respectively, as to the times and methods of taking such fish. The provisions of this section shall not authorize the taking of fish in violation of the provisions of sections forty-four and forty-five. Whoever takes any eels or any of said shell fish without such permit, and in violation of the provisions of this section, shall forfeit not less than three nor more than fifty dollars. *Approved April 21, 1913.*

City and town officers may regulate the taking of certain fish within such cities and towns.

Penalty.

Chap. 518 AN ACT TO AUTHORIZE A SITTING OF THE SUPERIOR COURT AT CHICOPEE IN THE COUNTY OF HAMPDEN FOR NATURALIZATION BUSINESS.

Be it enacted, etc., as follows:

Sitting of court at Chicopee for naturalization purposes.

SECTION 1. The superior court, sitting for the county of Hampden, may adjourn from Springfield and sit at Chicopee in said county for purposes of naturalization.

Repeal.

SECTION 2. All acts and parts of acts inconsistent herewith are hereby repealed.

SECTION 3. This act shall take effect upon its passage. *Approved April 21, 1913.*

AN ACT RELATIVE TO TAKING HERRING FROM THE WATERS OF BOSTON HARBOR. *Chap.* 519

Be it enacted, etc., as follows:

SECTION 1. It shall be unlawful for any person to display torches or other light designed or used for the purpose of taking herring in so much of the waters of Boston harbor as lies within the limits of the city of Boston inside of a line drawn from Moon Island to Point Shirley: *provided, however,* that the commissioners on fisheries and game may grant permits for the display of torches or other lights for the purpose aforesaid, but only on the waters aforesaid, with such restrictions as in their judgment will prevent the same from constituting a nuisance; and said commissioners may at any time revoke any such permit.

Taking of herring in Boston harbor regulated.

Proviso.

SECTION 2. Whoever violates the provisions of this act shall, for a first offence, be punished by a fine of not less than fifty nor more than two hundred dollars, or by imprisonment for not less than six nor more than twelve months, or by both such fine and imprisonment, and, for a second offence, by both said fine and imprisonment.

Penalty.

Approved April 21, 1913.

AN ACT TO PROVIDE THAT ALL PAY ROLLS, BILLS AND ACCOUNTS FOR COMPENSATION OF PERSONS IN THE SERVICE OF ANY CITY OTHER THAN BOSTON SHALL BE VERIFIED BY OATH. *Chap.* 520

Be it enacted, etc., as follows:

SECTION 1. It shall be unlawful for the treasurer or other fiscal officer of any city other than Boston to pay any salary or compensation to any person in the service or employment of the city unless the pay roll, bill or account for such salary or compensation shall be sworn to by the head of the department or by the person who is immediately responsible for the appointment, employment, promotion or transfer of the persons named therein.

Pay rolls, bills, etc., of cities to be verified by oath.

SECTION 2. Every such pay roll, bill or account shall contain the following information: — First, full name of each employee; second, title of his office, or specific nature of the labor that he was originally engaged to perform; third, kind of work in which he has actually been engaged since the submission of the last previous pay roll; fourth, salary,

To contain certain information.

wages or other compensation; fifth, date or dates of employment.

Penalty.

SECTION 3. Each appointing, employing or other officer, or, in case of a board, each member thereof, who wilfully refuses or neglects to comply with any provision of this act shall be punishable by a fine of not less than twenty-five nor more than one hundred dollars for each offence.

Approved April 21, 1913.

Chap. 521 AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS ON FISHERIES AND GAME TO TAKE FISH FROM CERTAIN PONDS OR HARBORS.

Be it enacted, etc., as follows:

Commissioners on fisheries and game may take fish from certain waters.

SECTION 1. The board of commissioners on fisheries and game is hereby authorized, for purposes of protection or investigation, to take fish or cause fish to be taken at any time from Eastern harbor, so-called, in the town of Truro, and from Laurel lake in the towns of Lee and Lenox, and to dispose of the fish so taken in such manner as the board may deem best, the proceeds of any sale thereof to be paid into the treasury of the commonwealth.

Damages.

SECTION 2. Any damage to the property of any person or corporation occasioned by any act done under authority hereof shall be determined in the manner in which damages for land taken or injured in the laying out of highways are determined, and shall be paid from the treasury of the commonwealth.

Approved April 21, 1913.

Chap. 522 AN ACT RELATIVE TO JOHN BAKER.

Be it enacted, etc., as follows:

Time of service of John Baker extended.

SECTION 1. John Baker, employed as custodian of the military archives in the department of the adjutant general, and engaged in the important work of indexing the archives, who, under chapter five hundred and thirty-two of the acts of the year nineteen hundred and eleven and the amendments thereof, is to be retired on March fifteenth, nineteen hundred and fourteen, after twenty-nine years of continuous service in the employ of the commonwealth, may be retained in the service of the commonwealth by the adjutant general not later than March fifteenth, nineteen hundred and eighteen, and then, upon his retirement, shall be subject to the provisions and benefits of said chapter five hundred

and thirty-two and of the amendments thereof, as though his time of service had not been extended hereby.

Section 2. This act shall take effect upon its passage.

Approved April 21, 1913.

An Act relative to fish weirs. *Chap.* 523

Be it enacted, etc., as follows:

Section 1. Section one hundred and sixteen of chapter ninety-one of the Revised Laws is hereby amended by striking out all after the word "years", in the fifth line, and inserting in place thereof the words: — but no authority or license so given shall be valid unless approved in writing by the board of harbor and land commissioners, — so as to read as follows: — *Section 116.* The mayor and aldermen of a city and the selectmen of a town lying upon tide water, except cities and towns bordering on Buzzard's bay, may in writing authorize any person to construct weirs, pound nets or fish traps in said waters within the limits of such city or town for a term not exceeding five years, but no authority or license so given shall be valid unless approved in writing by the board of harbor and land commissioners.

R. L. 91, § 116, amended.

Construction of fish weirs may be authorized.

Section 2. This act shall take effect upon its passage.

Approved April 21, 1913.

An Act relative to the instruction and drill of the militia. *Chap.* 524

Be it enacted, etc., as follows:

Section 1. Section three of chapter five hundred and ninety-four of the acts of the year nineteen hundred and eleven is hereby amended by striking out the words "three fourths", in the second line, and inserting in place thereof the words: — two thirds, — so as to read as follows: — *Section 3.* For attendance at each rendezvous drill at which at least two thirds of the maximum enlisted strength of the company is present, there shall be allowed and paid to the enlisted men of that company of the volunteer militia as follows: first sergeant, company quartermaster sergeant, stable sergeant, sergeant, cook, musician, chief petty officer, petty officer, first class, and petty officer, second class, one dollar and twenty cents; corporal and petty officer, third class, one dollar and five cents; all other enlisted men, ninety cents; and in addition thereto an amount equal to twenty

1911, 594, § 3, amended.

Allowances for attendance at drills, etc.

per cent of said grade pay for each period of three years of service in the volunteer militia in excess of the first three years of such service, but not exceeding, in any event, sixty per cent of said grade pay: *provided, however,* that an enlisted man shall not be entitled to receive the pay provided for in this section unless he shall perform at least six days of camp duty in the same year under the provisions of section one hundred and fifty-two of chapter six hundred and four of the acts of the year nineteen hundred and eight, and shall also, in the same year, make such record scores with the prescribed weapon of his arm of the service as the commander-in-chief shall require; and *provided, further,* that he shall not, prior to the fifteenth day of November in the same year, have been dishonorably discharged from the military or naval service of the commonwealth, or discharged therefrom for the best interests of the service or for cause predicated upon unfaithful or inefficient service.

Provisos.

SECTION 2. This act shall take effect upon its passage.

Approved April 21, 1913.

Chap. 525 AN ACT RELATIVE TO THE RATE OF INTEREST ON DAMAGES IN THE CASE OF REAL ESTATE TAKEN OR INJURED BY THE METROPOLITAN PARK COMMISSION OR THE METROPOLITAN WATER AND SEWERAGE BOARD.

Be it enacted, etc., as follows:

Rate of interest on damages for real estate taken by metropolitan park commission or metropolitan water and sewerage board.

SECTION 1. In a suit to determine damages for the taking of and injury to real estate taken or injured, after the passage of this act, by the metropolitan park commission or by the metropolitan water and sewerage board under authority of any law or statute, the damages so determined shall bear interest at the rate of five per cent per annum from the date when damages are to be assessed under the law or statute by virtue of which such real estate was taken or injured.

SECTION 2. This act shall take effect upon its passage.

Approved April 21, 1913.

Chap. 526 AN ACT RELATIVE TO THE EXPENSES FOR CLERICAL ASSISTANCE FOR THE POLICE COURT OF CHELSEA.

Be it enacted, etc., as follows:

1904, 258, § 1, amended.

SECTION 1. Section one of chapter two hundred and fifty-eight of the acts of the year nineteen hundred and

four is hereby amended by striking out the word "six", in the second line, and substituting the word: — twelve, — so as to read as follows: — *Section 1.* The clerk of the police court of Chelsea may annually expend a sum not exceeding twelve hundred dollars for clerical assistance in his office.

Clerical assistance to clerk of police court of Chelsea.

Section 2. This act shall take effect upon its passage.

Approved April 21, 1913.

An Act to authorize the county of Hampshire to construct and maintain a hospital for the care and treatment of tuberculous patients. *Chap.* 527

Be it enacted, etc., as follows:

Section 1. The county commissioners of the county of Hampshire are hereby authorized and directed to erect, equip and maintain an adequate hospital for the care and treatment of persons ill with tuberculosis, the hospital to be owned by the county. The county commissioners are further authorized to raise and expend a sum of money not exceeding fifty thousand dollars for the construction and equipment of the hospital. The cost of construction and maintenance of the hospital shall be met by taxation as other county taxes are assessed and collected.

County of Hampshire may construct, etc., a hospital for tuberculous patients.

Section 2. For the purpose of carrying out the provisions of this act the county commissioners of the county of Hampshire may purchase or lease, or take by right of eminent domain, such land, not exceeding five hundred acres in extent, as they may deem necessary or convenient therefor. Damages for the taking of land or for the doing of any other act under authority hereof may be recovered in the manner provided by law for the recovery of damages in the case of land taken for highways.

May acquire land, etc.

Section 3. The county commissioners shall be trustees of the said hospital, shall make regulations for its government, and shall appoint a superintendent and such other officers and employees as may be necessary for the proper conduct of the hospital.

Trustees, duties, etc.

Section 4. The city of Northampton and the towns of the county of Hampshire, through their boards of health, may send patients to the said hospital. The cost of caring for patients so sent shall be charged to and paid by the city or town sending them and shall be based on the actual cost of their care and treatment.

Payment of cost of caring for patients, etc.

Board of visitors, appointment, duties, etc.

SECTION 5. The location and construction of the said hospital shall be subject to the approval of the state board of health. The state board of health shall annually in the month of January appoint from the inhabitants of the county of Hampshire an unpaid board of five visitors, two of whom shall be women, whose duty it shall be to visit the hospital from time to time and to make such suggestions and recommendations concerning the management and the care of the patients as they may deem proper.

Repayments, etc., to city and towns, etc.

SECTION 6. The city of Northampton and the towns of the county of Hampshire supporting patients in the said hospital shall be entitled to any payments or repayments allowed under the laws of the commonwealth in the same manner and subject to the same conditions which govern the support of tuberculous patients in a city or town hospital.

Preference to be given to certain patients.

SECTION 7. The trustees of the said hospital may receive and care for patients who are able to pay, upon such terms as the trustees shall fix, but preference shall be given to poor patients who are under the care of public health departments within the county.

Erection of separate hospitals not required.

SECTION 8. The provisions of this act shall relieve the city of Northampton and the towns of the county of Hampshire from the erection of separate hospitals for the treatment of tuberculosis.

Name established.

SECTION 9. The hospital shall be known as the Hampshire County Sanatorium. *Approved April 21, 1913.*

Chap. 528 AN ACT RELATIVE TO THE MEMBERS OF THE FIRE DEPARTMENT OF THE CITY OF MARLBOROUGH.

Be it enacted, etc., as follows:

Tenure of office, etc., of members of fire department of Marlborough.

SECTION 1. Every regular, permanent or call member of the fire department of the city of Marlborough now holding or hereafter appointed to a position in said department classified under the civil service rules of the commonwealth, and whether appointed for a definite or stated term, or otherwise, shall hold such position continuously during good behavior, and shall not be removed therefrom, lowered in rank or compensation, or suspended, or, without his consent, transferred from such position or employment to any other, except for just cause and for reasons specifically given in writing by the removing officer or board.

Certain provisions of law to apply.

SECTION 2. The provisions of section two of chapter three hundred and fourteen of the acts of the year nineteen

hundred and four, and of acts in amendment thereof, shall apply to the members of said fire department designated in section one hereof.

Section 3. This act shall take effect upon its passage.

Approved April 22, 1913.

An Act relative to the taking or killing of deer. *Chap.* 529

Be it enacted, etc., as follows:

Taking or killing of deer regulated.

Section 1. It shall be unlawful, except as hereinafter provided, to hunt, pursue, wound or kill a deer, or to sell or offer for sale, or to have in possession for the purpose of sale, a deer or the flesh of a deer captured or killed in this commonwealth: *provided,* that this act shall not apply to a tame deer belonging to any person and kept on his own premises; and *provided, further,* that any farmer or other person may, on land owned or occupied by him, pursue, wound or kill any deer found destroying or injuring any fruit tree or any crop, except grass growing on uncultivated land; and he may authorize any member of his family, or any person employed by him so to pursue, wound or kill a deer under the circumstances above specified. In the event of the wounding or killing of a deer as aforesaid, it shall be the duty of the person by whom or under whose direction the deer was wounded or killed to mail or otherwise transmit within twenty-four hours thereafter to the commissioners on fisheries and game a report in writing signed by him of the facts relative to the said wounding or killing. The said report shall state the time and place of the wounding or killing, and the kind of tree or crop injured or destroyed by the deer. It shall be unlawful to sell or offer for sale the whole or any part of a deer killed under the aforesaid provision.

Provisos.

Report to be made to commissioners on fisheries and game.

Open season established.

Section 2. Any person who is duly authorized or licensed to hunt in this commonwealth according to the provisions of law, may, between sunrise of the third Monday of November and sunset of the following Saturday, hunt, pursue, take or kill by the use of a shotgun, a wild deer, subject to the following restrictions and provisions: — No person shall kill more than one deer under the provisions of this section or have in possession more than one deer killed under the provisions of this section. No deer shall be hunted, taken or killed on land posted in accordance with the provisions of section fourteen of chapter ninety-two of the Revised Laws,

or on land under the control of the metropolitan park commission or of the metropolitan water and sewerage board, or in violation of any city ordinance or town by-law, or in any state reservation, or by any method prohibited by law. It shall be unlawful to make, set or use any trap, salt lick or other device for the purpose of ensnaring, enticing, taking, injuring or killing a deer. Whoever wounds or kills a deer under the provisions of this section shall make a report in writing, signed by him, and mailed or otherwise transmitted within twenty-four hours of such wounding or killing, to the commissioners on fisheries and game, stating the facts relative to the wounding or killing.

Not to affect certain provisions of law.

SECTION 3. Nothing in this act shall be construed as affecting the provisions of section eighteen of chapter ninety-two of the Revised Laws, as amended by chapter two hundred and forty-five of the acts of the year nineteen hundred and five.

Repeal.

SECTION 4. Section seventeen of chapter ninety-two of the Revised Laws, as amended by chapter three hundred and seven of the acts of the year nineteen hundred and seven, and by chapter three hundred and seventy-seven of the acts of the year nineteen hundred and eight, and by chapter three hundred and ninety-six of the acts of the year nineteen hundred and nine is hereby repealed; chapter five hundred and forty-five of the acts of the year nineteen hundred and ten and chapter three hundred and eighty-eight of the acts of the year nineteen hundred and twelve are also hereby repealed; but the said repeals shall not affect any suit or other proceeding now pending.

Not to affect pending proceedings, etc.

Penalty.

SECTION 5. Any violation of any provision of this act shall be punished by a fine not exceeding one hundred dollars for each offence. *Approved April 22, 1913.*

Chap. 530 AN ACT RELATIVE TO THE REPORTING OF AUTOMOBILE ACCIDENTS.

Be it enacted, etc., as follows:

Operators of motor vehicles to report certain accidents to highway commission.

SECTION 1. Every operator of a motor vehicle which for any reason is involved in an accident in which any person or property is injured, shall forthwith report the same to the Massachusetts highway commission.

License may be suspended, etc.

SECTION 2. For any violation of the provisions of this act the said commission may revoke or suspend the license of the operator. *Approved April 22, 1913.*

An Act to provide further for the improvement of the commonwealth's flats at South Boston. *Chap.* 531

Be it enacted, etc., as follows:

Section 1. For the purpose of enforcing and executing the provisions and requirements of existing laws relative to the commonwealth's flats at South Boston, and for the payment of money which may be needed to carry out the provisions of chapter two hundred and thirty-nine of the acts of the year eighteen hundred and seventy-five, the sum of two hundred thousand dollars is hereby appropriated from the Commonwealth's Flats Improvement Fund established by chapter two hundred and thirty-seven of the acts of the year eighteen hundred and seventy-eight. Appropriation, improvement of commonwealth's flats at South Boston.

Section 2. This act shall take effect upon its passage.

Approved April 22, 1913.

An Act relative to the pay of enlisted men of the militia. *Chap.* 532

Be it enacted, etc., as follows:

Section one hundred and seventy-three of chapter six hundred and four of the acts of the year nineteen hundred and eight is hereby amended by inserting at the beginning of the last sentence the words: — When troops are on duty under the provisions of sections one hundred and fifty-one and one hundred and fifty-two, — and by striking out at the end of said sentence the words "on January first, nineteen hundred and eight", so as to read as follows: — 1908, 604, § 173, amended.

Section 173. There shall be allowed and paid per diem to officers and soldiers of the volunteer militia, on rolls and accounts in such form as the commander-in-chief may prescribe, for the duty prescribed by sections one hundred and forty-one, one hundred and forty-two, one hundred and fifty-one, one hundred and fifty-two and one hundred and sixty, as follows: major general, twenty dollars and eighty-three cents; brigadier general, fifteen dollars and twenty-eight cents; colonel, or captain in naval grade, nine dollars and seventy-two cents; lieutenant colonel, or commander in naval grade, eight dollars and thirty-three cents; major, or lieutenant commander in naval grade, six dollars and ninety-four cents; captain, mounted, five dollars and fifty-six cents; captain, not mounted, or lieutenant in naval grade, Compensation of officers and soldiers.

five dollars; first lieutenant, mounted, four dollars and forty-four cents; first lieutenant, not mounted, or lieutenant, junior grade, in naval grade, four dollars and seventeen cents; second lieutenant, mounted, four dollars and seventeen cents; second lieutenant, not mounted, or ensign, naval grade, three dollars and eighty-nine cents; chaplain, four dollars and seventeen cents; non-commissioned staff officers, and petty officers and color sergeants, of like naval grade, three dollars and five cents; members of a band, four dollars and fifty-five cents; cooks and, in the naval brigade, cooks, first class, three dollars and fifty-five cents, if, in such form as the commander-in-chief prescribes, it is certified and made to appear that in each case the duty of superintending and assisting in the preparation of the food of the company was actually performed by the cook in person during the tour of duty or day of duty for which he is returned for pay; otherwise the pay of other enlisted men of like grade; and every other enlisted man, one dollar and fifty-five cents. There shall be allowed for each horse actually used by officers and soldiers authorized to be mounted and for each draft horse used in the artillery the sum of four dollars a day, which shall be in full for keeping and forage except that when forage is furnished in kind, as provided in section one hundred and seventy-six, the cost of the same shall be deducted from this allowance. For all other duty under orders of the commander-in-chief, unless otherwise specially provided, or as a witness or defendant under summons, as provided in section one hundred and eighty-five, there shall be allowed and paid per diem to all officers above the rank of captain, four dollars; to every other commissioned officer, two dollars and fifty cents; to every member of a band, three dollars and fifty-five cents, and, if with troops, one dollar additional; and to every enlisted man, one dollar and fifty-five cents. In addition to the pay herein specified, each member of a band and each enlisted man shall receive forty-five cents per diem, in lieu of subsistence, except as provided in section one hundred and seventy-six. There shall annually be allowed and paid to each adjutant general of brigade, twenty dollars; to each adjutant other than battalion adjutants of regiments, fifty dollars, and twelve dollars and fifty cents for every company in the command to which he is attached. There shall annually be allowed and paid to each paymaster, twelve dollars and fifty cents for every company in the command

to which he is assigned. There shall be allowed and paid to each chief bugler, bugler, musician and trumpeter of the volunteer militia, for the duty required by sections one hundred and forty-one, one hundred and forty-two, one hundred and fifty-one, one hundred and fifty-two and one hundred and sixty, three dollars and five cents a day. When troops are on duty under the provisions of sections one hundred and fifty-one and one hundred and fifty-two, all sums herein specified as pay for enlisted men shall be an allowance to headquarters and companies on a per man per diem basis, and no enlisted man shall be entitled to receive, as pay, from this allowance a per diem amount in excess of the per diem pay received by a man of like grade in the regular army or navy. *Approved April 22, 1913.*

An Act relative to the discharge of mortgages under which no payment has been made for twenty years. *Chap.* 533

Be it enacted, etc., as follows:

Section 1. Chapter one hundred and eighty-two of the Revised Laws is hereby amended by striking out section fifteen and inserting in place thereof the following: — *Section 15.* If the record title of land or of easements or rights in land held and possessed in fee simple is encumbered by an undischarged mortgage, and the mortgagor and those having his estate therein have been in uninterrupted possession of the land or exercising the rights in easements or other rights in land, either for any period of twenty years after the expiration of the time limited in the mortgage for the full performance of the condition thereof, or for any period of twenty years after the date of a mortgage which was not given to secure the payment of money or a debt but to secure the mortgagee against a contingent liability which has so ceased to exist that no person will be prejudiced by the discharge thereof, the mortgagor, or those having his estate in the land, or exercising the rights in easements, or any person named in section eleven may file a petition in the land court; and if, after such notice by publication or otherwise as the court orders, no evidence is offered of a payment on account of the debt secured by said mortgage within such period of twenty years after the expiration of the time limited for the performance of the condition thereof, or of any other act within said time in recognition of its existence as a valid mortgage, or if the court finds that

R. L. 182, § 15, amended.

Discharge of certain mortgages.

such contingent liability has ceased to exist and that the mortgage ought to be discharged, it may enter a decree, reciting the facts and findings, which shall, within thirty days after its entry, be recorded in the registry of deeds for the county or district in which the land lies, and no action to enforce a title under said mortgage shall thereafter be maintained. Two or more persons who own in severalty different portions or different interests, such as are described in section eleven, in the land subject to the mortgage may join in one petition and two or more defects arising under different mortgages affecting one parcel of land may be set forth in the same petition. If the petition is contested, the court shall make an appropriate order for separate issues.

SECTION 2. This act shall take effect upon its passage.

Approved April 22, 1913.

Chap. 534 AN ACT RELATIVE TO THE PREPARATION AND PRINTING OF LISTS OF STATE OFFICIALS AND EMPLOYEES WITH THEIR SALARIES OR COMPENSATION.

Be it enacted, etc., as follows:

1910, 268, § 1, etc., amended.

SECTION 1. Section one of chapter two hundred and sixty-eight of the acts of the year nineteen hundred and ten, as amended by chapter forty-three of the acts of the year nineteen hundred and eleven, is hereby further amended by striking out after the word "amount", in the sixteenth line, the words "of all money paid for services or salaries to any official or employee, not otherwise", and inserting in place thereof the words: — of money paid for services or salaries to officials or employees not employed on the first day of July preceding and therefore not, — and by striking out all after the word "year", in the next to the last line, and inserting in place thereof the words: — and for the two preceding years, — so as to read as follows: — *Section 1.* Every department, commission, bureau or board of the commonwealth, shall, on or before the fifteenth day of July in the year nineteen hundred and ten, and on or before the fifteenth day of July in every year thereafter, prepare and furnish to the governor and council lists of all the officials and employees of the commonwealth employed in or by such department, commission, bureau or board on the first day of July preceding, for whose services money has been paid from the treasury of the commonwealth. The said lists shall be arranged by divisions of the several depart-

Lists of officials and employees to be furnished to governor and council, etc.

ments, commissions, bureaus or boards, when such divisions exist, and shall give the name, residence, designation, rate of compensation and the date of election or appointment of every such official and employee, and any increase in the rate of salary or compensation for the year preceding; and also the aggregate amount of money paid for services or salaries to officials or employees not employed on the first day of July preceding and therefore not shown upon the list, for the year beginning with the first day of July in the year preceding that in which the list is prepared. It shall be the duty of the auditor of the commonwealth to verify the said lists, the compensation and the said aggregate amounts from the pay roll. The said lists and aggregate amounts shall be printed at the expense of the commonwealth as a document of the commonwealth, before the first day of October in the year in which they are furnished, and the said document shall contain a summary by departments, commissions, bureaus and boards of the total number of officials and employees employed in or by every such department, commission, bureau and board and the total amount paid for services by every such department, commission, bureau and board from the treasury of the commonwealth, and, respectively, the whole number of such officials and employees, and the whole amount paid for services in a grand total; and a summary by every such department, commission, bureau and board of the total number of such officials and employees and the total amount paid for services for the year and for the two preceding years.

Auditor to verify lists.

To be printed as public document, etc.

Section 2. This act shall take effect upon its passage.

Approved April 22, 1913.

An Act relative to life insurance policies. *Chap.* 535

Be it enacted, etc., as follows:

Section 1. Policies of life insurance issued by a company not organized under the laws of this commonwealth may, when issued in this commonwealth, contain any provision which is required by the law of the state, territory or district of the United States under which the company is organized, and policies of life insurance issued by a company organized under the laws of this commonwealth may, when issued or delivered in any other state, territory, district or country, contain any provision required by the laws of the

Provisions required by other state, etc., may be contained in certain life insurance policies.

state, territory, district or country in which the same are issued or delivered.

Repeal.

SECTION 2. All acts and parts of acts inconsistent herewith are hereby repealed.

SECTION 3. This act shall take effect upon its passage.

Approved April 22, 1913.

Chap. 536 AN ACT RELATIVE TO HIGHWAYS, PUBLIC ALLEYS, SEWERS AND SIDEWALKS IN THE CITY OF BOSTON AND TO THE ASSESSMENT OF BETTERMENT ASSESSMENTS THEREFOR.

Be it enacted, etc., as follows:

1906, 393, § 1, amended.

SECTION 1. Section one of chapter three hundred and ninety-three of the acts of the year nineteen hundred and six is hereby amended by striking out all of said section after the word "estate", where it occurs the second time in the eleventh line, and inserting in place thereof the following: — as such lot was on the day of the first publication of notice of the intention to make the improvement or on the day of passing the order therefor if there is no such publication, including any lot a part of which is taken and any lot a part or the whole of which is leased, and excluding any land within any location of a railroad company, — so as to read as follows: — *Section 1.* Every highway in the city of Boston shall be laid out, relocated, altered, widened, discontinued or constructed only as provided in this act or as provided in some other special act for a highway named therein; and in this act the word "highway" means any public way which has become such through the act of the board or other authority or in any other manner; the words "public alley" mean any alley or passageway not exceeding twenty-five feet in width, laid out as a public alley by an order of the board of street commissioners of said city; the words "parcel of real estate" mean any lot of real estate as such lot was on the day of the first publication of notice of the intention to make the improvement or on the day of passing the order therefor if there is no such publication, including any lot a part of which is taken and any lot a part or the whole of which is leased, and excluding any land within any location of a railroad company.

Relocating, etc., of highways, etc., in the city of Boston.

1906, 393, § 2, amended.

SECTION 2. Section two of said chapter three hundred and ninety-three is hereby amended by striking out the following: — "shall estimate the benefit or advantage to each parcel of real estate from the whole or a part of the im-

provement beyond the general advantage to all real estate in said city", in the twenty-fourth, twenty-fifth, twenty-sixth and twenty-seventh lines, and inserting in place thereof the following: — shall estimate the benefit or advantage to each parcel of real estate whether or not situated on said highway or public alley as laid out, relocated, altered, widened or discontinued, which said board shall adjudge receives any benefit or advantage from the whole or a part of said public improvement beyond the general advantage to all real estate in said city, — so as to read as follows: —

Section 2. Whenever said board of street commissioners shall be of opinion that in said city a public improvement should be made, consisting of laying out, relocating, altering, widening or discontinuing, with or without construction of sewer, or of changing the grade of, or constructing, with or without sewer, a highway or public alley, the board shall appoint a time for a public hearing and cause a notice thereof and of their intention in the matter to be published twice a week for two successive weeks in two daily newspapers published in said city, the last publication to be at least seven days prior to the time fixed for the hearing, and may adjourn the hearing from time to time. After the hearing the board may pass an order for making any such improvement that in the opinion of the board is required by public convenience, and in the order shall prescribe the lines, dimensions and grades for a highway shown on any plan filed under the provisions of section five of chapter three hundred and twenty-three of the acts of the year eighteen hundred and ninety-one, and for any not so shown shall prescribe as it deems proper. The board on the same day shall pass another order and therein shall determine and award the damages to be paid by the city to each person whose property is taken for the improvement, shall estimate the benefit or advantage to each parcel of real estate whether or not situated on said highway or public alley as laid out, relocated, altered, widened or discontinued, which said board shall adjudge receives any benefit or advantage from the whole or a part of said public improvement beyond the general advantage to all real estate in said city; and if a highway is to be constructed shall prescribe the sizes and materials for the gas pipes and connections to be laid therein, and if the gas company authorized to lay the pipes shall certify to the board the sizes and materials therefor the board shall prescribe in accordance with the certificate.

Public hearing to be given, etc.

Orders.

To be approved by mayor, etc.

Said orders shall be null and void unless they shall both be approved in writing by the mayor within three months after the first publication of the notice above specified; and if so approved they shall then be recorded in the records of the board, take effect and be carried out. After such approval by the mayor and recording in said records, the board shall cause to be recorded in the registry of deeds for the county of Suffolk the order for the improvement, but not the other order, and such recording shall constitute the taking of land required for the improvement, and the board, with the approval of the mayor, may at any time thereafter make a new award or new awards. Any person interested, if aggrieved by any award made by said board, may, before the expiration of one year after the work is actually begun on the improvement in front of the property affected, file a petition in the office of the clerk of the superior court for the county of Suffolk for a jury to determine the damages, and they shall then be determined by such jury, and all general laws relating to such damages and the determination and payment thereof shall, so far as they are consistent with this act, apply to damages for the property taken as aforesaid. Judgment shall be entered on such determination by a jury, costs taxed and execution issued as in civil cases.

Person aggrieved may petition for jury, etc.

1906, 393, § 5, amended.

SECTION 3. Section five of said chapter three hundred and ninety-three is hereby amended by striking out the first sentence and inserting in place thereof the following: — Said board within two years after the completion of any improvement specified in section two shall determine the value of the benefit or advantage aforesaid to each parcel of real estate whether or not situated on said highway or public alley as laid out, relocated, altered, widened or discontinued, which said board shall adjudge receives any benefit or advantage from the whole or a part of said public improvement beyond the general advantage to all real estate in said city; shall determine the cost of said improvement, including all expense incurred by the city, for such whole or part of the improvement except the excess above four dollars per linear foot of the expenses for sewers and their connections and except the expenses for surface drainage, water pipes, gas pipes and their connections, and shall assess a proportional share of said cost upon the parcels of real estate determined to be specially benefited as aforesaid but not ex-

ceeding the total amount of the benefit and advantage to every such parcel as estimated or determined as aforesaid, — so as to read as follows: — *Section 5.* Said board within two years after the completion of any improvement specified in section two shall determine the value of the benefit or advantage aforesaid to each parcel of real estate whether or not situated on said highway or public alley as laid out, relocated, altered, widened or discontinued, which said board shall adjudge receives any benefit or advantage from the whole or a part of said public improvement beyond the general advantage to all real estate in said city; shall determine the cost of said improvement, including all expense incurred by the city, for such whole or part of the improvement except the excess above four dollars per linear foot of the expenses for sewers and their connections and except the expenses for surface drainage, water pipes, gas pipes and their connections, and shall assess a proportional share of said cost upon the parcels of real estate determined to be specially benefited as aforesaid but not exceeding the total amount of the benefit and advantage to every such parcel as estimated or determined as aforesaid. If such assessment is invalid and has not been paid or has been recovered back, it may be re-assessed by said board to the amount for which and upon the real estate upon which the original assessment ought to have been made, and any alienation of real estate assessed shall not affect any re-assessment thereon made within one year after the first assessment has been found by the court to be invalid. The owner of any real estate in said city, within one year after the making of any such assessment on such estate, may file with the board an application for a revision thereof, and the board within two months after such filing, shall, if necessary to make it conform to the provisions of this section, revise and reduce the amount thereof. The revised amount shall be the amount of the assessment, and the excess of any amount paid therefor over the revised amount shall, on the certificate of the board, be repaid by the treasurer of the city from the appropriation from which the improvement was paid for, to the person for whom the payment was made, or to his legal representatives. *Approved April 23, 1913.*

Assessment of betterments, etc.

Chap. 537 AN ACT TO AUTHORIZE THE TOWN OF ARLINGTON TO SELL WATER FOR MECHANICAL AND AGRICULTURAL PURPOSES.

Be it enacted, etc., as follows:

Town of Arlington exempted from paying for water sold by it for certain purposes.

SECTION 1. The town of Arlington shall not be required to pay, and is hereby exempted from paying, to the treasurer of the commonwealth any money toward the interest, sinking fund requirements and expenses of maintenance and operation of the metropolitan water system, or on any account whatsoever, for any water from its reservoir in the towns of Arlington and Lexington which it may sell or distribute in any year exclusively for mechanical, manufacturing or agricultural purposes, and the water so sold shall not be considered by the metropolitan water and sewerage board in determining the amount of water consumed by said town during said year, which said board is required to certify to the treasurer of the commonwealth under the provisions of chapter four hundred and eighty-eight of the acts of the year eighteen hundred and ninety-five, as amended by chapter four hundred and fifty-seven of the acts of the year nineteen hundred and six, or by any other acts in amendment thereof or in addition thereto, and the town of Arlington is hereby exempted from any provision of either of said acts which authorizes the treasurer of the commonwealth to assess it on account of water from its own supply which it may so sell or distribute: *provided, however,* that the metropolitan water and sewerage board certifies to the treasurer and receiver general of the commonwealth that the water sold and distributed under authority of this act has been used for mechanical, manufacturing or agricultural purposes only.

Proviso.

Contracts.

SECTION 2. Any contract which the said town may make with a consumer for the sale of water from said reservoir for mechanical, manufacturing or agricultural purposes, shall contain a provision that whenever the public authority having control of the water of said reservoir determines that there is occasion to use said water for public purposes, said authority may terminate such contract on giving to the consumer reasonable notice of its intention so to do. Whenever such a contract is so terminated, the consumer shall not be entitled to any compensation by way of damage or otherwise by reason thereof. Such a contract may be entered into in behalf of the town by the board of public works, and may be for a year or for a greater or less period

of time, as the board may think proper, and upon such further terms and conditions as it may determine that the interests of the town require.

Not to affect certain right of the town, etc.

Section 3. This act shall not abridge any right which the town of Arlington may have concerning the disposal of said water, and the authority conferred by this act shall be in addition to the authority now possessed by the town.

Section 4. This act shall take effect upon its passage.

Approved April 23, 1913.

An Act relative to the sale of eggs taken from cold storage. *Chap.* 538

Be it enacted, etc., as follows:

Sale of eggs taken from cold storage regulated.

Section 1. Whenever eggs that have been in cold storage are sold at retail, or offered or exposed for sale, the basket, box or other container in which the eggs are placed shall be marked plainly and conspicuously with the words "cold storage eggs", or there shall be attached to such container a placard or sign having on it the said words. If eggs that have been in cold storage are sold at retail or offered or exposed for sale without a container, or placed upon a counter or elsewhere, a sign or placard, having the words "cold storage eggs" plainly and conspicuously marked upon it, shall be displayed in, upon or immediately above the said eggs; the intent of this act being that cold storage eggs sold at retail or offered or exposed for sale shall be designated in such a manner that the purchaser will know that they are cold storage eggs. The display of the words "cold storage eggs", as required by this act, shall be done in such a manner as is approved by the state board of health.

Penalty.

Section 2. Violation of any provision of this act shall be punished by a fine of not less than ten dollars nor more than five hundred dollars for each offence.

Approved April 25, 1913.

An Act to provide for the dredging of the Charles River basin between North Beacon street in the city of Boston and Galen street in the town of Watertown, and for the improvement of the southerly bank thereof. *Chap.* 539

Be it enacted, etc., as follows:

Dredging, etc., of certain part of Charles

Section 1. The metropolitan park commission is hereby authorized to expend the sum of forty thousand dollars in

river basin authorized.

dredging the Charles river basin between North Beacon street in Boston and Galen street in the town of Watertown, and in improving the southerly bank of said basin between said streets.

Payment of expenses.

SECTION 2. To meet the expenses incurred hereunder, the treasurer and receiver general is hereby authorized to issue in the name and behalf of the commonwealth bonds or scrip to an amount not exceeding forty thousand dollars, the same to be an addition to the Charles River Basin Loan, provided for by chapter four hundred and sixty-five of the acts of the year nineteen hundred and three and acts in addition thereto and in amendment thereof. Such bonds or scrip shall be issued in such amounts and upon such terms, and shall bear such rate of interest not exceeding four per cent per annum, payable semi-annually, and shall be paid serially in such amounts and at such times within a period not exceeding forty years, as shall be determined by the treasurer and receiver general, with the approval of the governor and council, to be for the best interests of the commonwealth.

SECTION 3. This act shall take effect upon its passage.

Approved April 25, 1913.

Chap. 540 AN ACT TO AUTHORIZE THE TOWN OF GRAFTON TO APPROPRIATE MONEY FOR THE ERECTION OF CERTAIN MEMORIAL TABLETS.

Be it enacted, etc., as follows:

Town of Grafton may raise money for erection of memorial tablets.

SECTION 1. The town of Grafton is hereby authorized to appropriate and raise by taxation such sums of money as may be necessary for the erection of memorial tablets containing the names of those citizens of the town who served in the army or navy of the United States in time of war.

SECTION 2. This act shall take effect upon its passage.

Approved April 25, 1913.

Chap. 541 AN ACT RELATIVE TO THE PURPOSES FOR WHICH INSURANCE COMPANIES MAY ORGANIZE.

Be it enacted, etc., as follows:

1907, 576, § 32, etc., amended.

SECTION 1. Clauses Second, Seventh and Eighth of section thirty-two of chapter five hundred and seventy-six of the acts of the year nineteen hundred and seven, as amended by chapter five hundred and nine of the acts of the year

nineteen hundred and eight, and by chapter two hundred and thirty-five of the acts of the year nineteen hundred and thirteen, are hereby further amended by inserting before the word "motor", in the sixth line of clause Second, the words: — and loss of use of, — by adding at the end of clause Seventh the words: — and to insure against loss of use and occupancy due to any of said causes, — and by inserting after the word "property", in the first line of clause Eighth, the words: — and loss of use and occupancy, — so that said clauses Second, Seventh and Eighth will read as follows: —

By perils of the sea, etc.

Second, To insure upon the stock or mutual plan vessels, freights, goods, money, effects, and money lent on bottomry or respondentia, against the perils of the sea and other perils usually insured against by marine insurance, including risks of inland navigation and transportation; also to insure against loss or damage to and loss of use of motor vehicles, their fittings and contents, whether such vehicles are being operated or not, and wherever the same may be, resulting from accident, collision or any of the perils usually insured against by marine insurance, including inland navigation and transportation.

Breakage of sprinklers, etc.

Seventh, To insure against loss or damage to any goods or premises of the assured, and loss or damage to the property of another for which the assured is liable, caused by the breakage or leakage of sprinklers, pumps, water pipes, elevator tanks and cylinders, steam pipes and radiators, or plumbing and its fixtures, or against accidental injury from other causes than fire, lightning, bombardment or windstorm to such sprinklers, pumps, water pipes, elevator tanks and cylinders, steam pipes and radiators, plumbing and fixtures; also to insure against loss or damage to any goods or premises of the assured and loss or damage to the property of another for which the assured is liable, caused by the leakage of roofs, leaders and spouting, or by rain and snow driven through broken and open windows and skylights, or caused by the contents of any tank, or impact of any falling tank, tank platform or supports erected in or upon any building, and to insure against loss of use and occupancy due to any of said causes.

Accidents to elevators, vehicles, etc.

Eighth, To insure against loss or damage to property and loss of use and occupancy arising from accidents to elevators, bicycles and vehicles, except rolling stock of railways.

Section 2. This act shall take effect upon its passage.

Approved April 26, 1913.

Chap. 542 AN ACT TO PROHIBIT THE HUNTING OF BIRDS OR QUADRUPEDS WITH RIFLES, REVOLVERS OR PISTOLS DURING THE OPEN SEASON FOR DEER.

Be it enacted, etc., as follows:

Hunting of birds, etc., with rifles, etc., during open season for deer prohibited.

SECTION 1. During the open season for deer it shall be unlawful to hunt, wound or kill a bird or quarduped with a rifle, revolver or pistol, or in pursuit of birds or quadrupeds to have in possession in any wood or field, or on any highway, a rifle, revolver or pistol.

Not to authorize hunting now prohibited by law.

SECTION 2. Nothing in this act shall be construed to authorize the hunting of birds or quadrupeds with rifle, revolver or pistol during any season of the year in which such hunting is now prohibited by existing laws.

Approved April 26, 1913.

Chap. 543 AN ACT RELATIVE TO THE IMPROVEMENT OF LYNN HARBOR.

Be it enacted, etc., as follows:

1910, 606, § 3, etc., amended.

SECTION 1. Section three of chapter six hundred and six of the acts of the year nineteen hundred and ten, as amended by chapter two hundred and twenty-seven of the acts of the year nineteen hundred and eleven, is hereby further amended by striking out the word "three", in the eighth line, and inserting in place thereof the word: — four, — by striking out the words "within nine months thereafter", in the eighteenth and nineteenth lines, and inserting in place thereof the words: — at the state election next following said approval, — and by striking out the last three sentences of said section and inserting in place thereof the following: — If the voters confirm said report, as provided in this section, the board of harbor and land commissioners shall proceed to carry out the recommendations therein contained, and for this purpose shall be invested with all the rights, powers and duties assigned in sections four to eight inclusive, of this act, to the commission on the improvement of Lynn harbor, — so as to read as follows: — *Section 3.* If the said commission shall report that in its judgment no abatement of said nuisance and no improvement of said harbor should forthwith be undertaken under the provisions of this act, then no further proceedings shall be had under this act. If the said commission shall report that in its judgment said nuisance should be abated or said harbor be improved under

Report of commission.

To be acted upon by municipal council.

the provisions of this act, then the municipal council of the city of Lynn, within four months after the date of receiving such report, shall either approve the report or reject it: *provided, however,* that any distinct and separable recommendation, relating to the abatement of said nuisance may be approved or rejected by said municipal council without affecting its approval or rejection of those provisions of the report relating to the improvement of the harbor. If the municipal council rejects the report, no further proceedings shall be had under this act. If the municipal council approves the report, in whole or in part, the question of further proceedings shall be submitted at the state election next following said approval to the qualified voters of Lynn in the following form: — "Shall the action of the municipal council approving the report of the commission on the investigation of Lynn harbor be confirmed?" or, "Shall the action of the municipal council approving in part the report of the commission on the investigation of Lynn harbor be confirmed?" If a majority of the votes cast on said question are in the affirmative, then this act shall be in full force and effect. If a majority of said votes are in the negative, then this act shall have no further effect. If the voters confirm said report, as provided in this section, the board of harbor and land commissioners shall proceed to carry out the recommendations therein contained, and for this purpose shall be invested with all the rights, powers and duties assigned in sections four to eight, inclusive, of this act, to the commission on the improvement of Lynn harbor.

Proviso.

If approved, question to be submitted to voters, etc.

Section 2. Section four of chapter six hundred and six of the acts of the year nineteen hundred and ten is hereby amended by striking out the words, "After the said commission on the improvement of Lynn harbor shall have been appointed", in the first and second lines, and inserting in place thereof the words: — After the confirmation of the report, or any modification thereof, by the voters of Lynn, under the provisions of section three, — by inserting after the word "harbor", in the sixth line, the words: — or any land bordering on said harbor, — by inserting after the word "plan", in the seventh line, the words: — or any modification thereof, — by striking out the words "provided that a proper appropriation for the carrying out of such plan has duly been made by the city council of Lynn", in the ninth, tenth and eleventh lines, — by striking out the words "either of the commissions created under", in the seventy-first line, and

1910, 606, § 4, amended.

inserting in place thereof the words: — or under the provisions of, — by striking out the words "city council", wherever they occur in said section, and inserting in place thereof the words: — municipal council, — and by striking out the word "commission", wherever the same refers to the commission on improvement of Lynn harbor, and inserting in place thereof the word: — board, — so as to read as follows: — *Section 4.* After the confirmation of the report, or any modification thereof, by the voters of Lynn, under the provisions of section three, the city of Lynn may for the purpose of abating said nuisance or of improving said harbor, or both, acquire by gift or purchase or may take in fee by right of eminent domain such flats in said harbor, or any land bordering on said harbor, lying within the territorial limits of the city as are necessary to carry out any plan or any modification thereof, suggested by the said commission on the investigation of Lynn harbor, whether or not said flats are owned or held as appurtenant to any upland bounding on the harbor. The power to take land or an interest therein by right of eminent domain, as set forth in this section, shall be exercised on behalf of the city of Lynn by said board, which shall within sixty days after the taking of any land or interest therein under the provisions of this act file and cause to be recorded in the registry of deeds for the southern district of the county of Essex a description thereof sufficiently accurate for identification, and a statement of the purpose for which it was taken, which shall be signed by a majority of the members of the board. The filing of such description and statement shall constitute a taking in fee by the city of Lynn. But no land shall so be taken or acquired until the municipal council of Lynn shall have duly made an appropriation therefor in the manner provided by law for making appropriations by the city. The said board may, with the approval of the municipal council of Lynn, agree with any person or corporation sustaining damages to his or its property by such taking as to the amount thereof and the city of Lynn shall pay the same; but if they are unable to agree the damages shall, on petition of the person or corporation whose land is taken or on the petition of the city of Lynn, filed in the superior court within two years after such taking, be determined by a jury in the manner provided for determining damages sustained in the taking of land for laying out highways. The said city may, for the purpose of carrying said improvement

City may acquire land, flats, etc.

Description of land, etc., taken to be recorded.

Damages, etc.

into effect, dredge channels and basins and may also construct, control and manage such wharves, docks and piers provided for in said plan of improvement as may be necessary for promoting and carrying on the commerce of the port of Lynn. All of the powers given by this act to fill solid the whole or any part of the land taken or the flats of the commonwealth permitted by the provisions of this act to be used, to dredge channels or basins, or to construct docks, wharves or piers, shall be possessed and exercised by said board, which shall have authority to employ all necessary labor, make, execute and carry out all necessary contracts, and generally to perform all construction work of any kind herein authorized to be done by the city of Lynn. The administration, however, of the land taken or reclaimed and of all structures built or maintained under the provisions of this act, and the power to sell land taken for the purpose of abating said nuisance or created by means of filling solid any flats as hereinbefore authorized, shall be and remain in the municipal council of Lynn, subject to the laws governing the ownership, sale and administration of land owned in fee by that city: *provided, however,* that the said board shall have power to agree with any contractor undertaking to do the whole or any part of the construction or engineering work herein authorized, or with any person or corporation having a right of action for an interest of land taken under the provisions of this act, that the payment for said work or for said interest shall be made in land taken or reclaimed by said city under the provisions of this act, at rates to be determined by said board, subject to the approval of the said council. No expenditures shall be incurred or contracted for by or under the provisions of this act, for the purposes of the above authorized investigation, or for the taking or purchase of land or any interest therein, or for construction work of any kind, until the municipal council of Lynn shall have made an appropriation therefor in the manner provided by law for making appropriations by the city. Such expenditures shall not exceed the appropriations made therefor, and all contracts involving an expenditure in excess of such appropriations shall be void. Proviso.

Section 3. Section seven of said chapter six hundred and six is hereby amended by inserting after the first sentence the following: — But wherever the said line of bulkhead shown on said last named plan is north or west of the harbor line established by chapter three hundred and thirteen of the 1910, 606, § 7, amended.

acts of the year eighteen hundred and sixty-seven, referred to in section six of this act, the city of Lynn may build said bulkhead upon any line which does not lie seaward of said harbor line, — and by adding at the end thereof the following: — After the report of the said commission on the investigation of Lynn harbor shall have been presented to the municipal council of Lynn, said council may, with the approval of the board of harbor and land commissioners, and prior to the submission of the question to the voters of said city under the provisions of section three of said chapter six hundred and six, as amended, make any change or modification in said report that may seem to them desirable. In approving said report, said council shall plainly specify the cost of carrying out the recommendations in the report of said commission on investigation, or of any modification thereof, and if accepted by the voters, the city of Lynn shall have authority to borrow, in excess of its statutory limit of indebtedness, a sum not exceeding one million two hundred thousand dollars, and to issue therefor from time to time bonds or notes. Such bonds or notes shall be denominated on the face thereof, City of Lynn, Harbor Loan, Act of 1913; shall be signed by the treasurer of the city and countersigned by a majority of the municipal council; shall bear interest at a rate not exceeding four and one half per cent per annum, payable semi-annually; and shall be payable by such annual payments, beginning not more than one year after the date of each loan, as will extinguish each loan within thirty years from its date. The amount of such annual payment of any loan in any year shall not be less than the amount of the principal of said loan payable in any subsequent year. Each authorization of a bond or note shall constitute a separate loan. The city may sell the said securities at public or private sale upon such terms and conditions as it may deem proper, but they shall not be sold for less than their par value and the proceeds shall be used only for the purpose herein specified. Nothing herein contained, however, shall be construed as relieving the board of harbor and land commissioners of the right or duty to expend in improving Lynn harbor any portion of whatever sums may have been, or shall be, placed at their disposal for the improvement of the harbors of the state, but any appropriation hereunder by the city of Lynn shall be deemed evidence of the general public advantage and local interest referred to in section two of chapter four hundred and eighty-one of the acts of the year

nineteen hundred and nine and acts in addition thereto or amendment thereof. Said section is hereby further amended by striking out the words "city council", whenever the same occur therein, and inserting in place thereof the words: — municipal council, — and by striking out the word "commission", wherever the same refers to the commission on improvement of Lynn harbor, and inserting in place thereof the word: — board, — so as to read as follows: — *Section 7.* Subject to the provisions of the foregoing sections, the city of Lynn, acting through said board, may build a bulkhead of wood or such other material as may be determined upon on such line as may be designated in the plan accepted by the city of Lynn: *provided,* that said line does not lie southerly of the line of bulkhead shown on the plan prepared by and on file in the office of the board of harbor and land commissioners, marked "Plan of Lynn Harbor prepared by Harbor and Land Commissioners, January, 1910", and may fill the flats behind said bulkhead to an elevation of sixteen feet or to such other elevation as may be determined by the city of Lynn and approved by the said board. But wherever the said line of bulkhead shown on said last named plan is north or west of the harbor line established by chapter three hundred and thirteen of the acts of the year eighteen hundred and sixty-seven, referred to in section six of this act, the city of Lynn may build said bulkhead upon any line which does not lie seaward of said harbor line. The work contemplated under the provisions of this act shall all be done with the approval of the said board, as provided in chapter ninety-six of the Revised Laws, except as is otherwise provided herein. When said board shall have constructed said bulkhead, and shall have filled all or a substantial part of the flats northerly thereof, the title of the commonwealth to the flats so filled and the rights therein shall pass to the city of Lynn without any compensation for the same or for the displacement of tidewater, under the provisions of chapter ninety-six of the Revised Laws; *provided, however,* that unless the construction work authorized in this section is begun and a substantial amount thereof completed within six years after the date of the passage of this act, the provisions of this section shall be null and void. The board of harbor and land commissioners shall determine what shall constitute a substantial amount of filling and construction work under the provisions of this section. After the report of the said commission on the investigation

City may build a bulkhead, etc.

Provisos.

of Lynn harbor shall have been presented to the municipal council of Lynn, said council may, with the approval of the board of harbor and land commissioners, and prior to the submission of the question to the voters of said city under the provisions of section three of said chapter six hundred and six, as amended, make any change or modification in said report that may seem to them desirable. In approving said report, said council shall plainly specify the cost of carrying out the recommendations in the report of said commission on investigation, or of any modification thereof, and if accepted by the voters, the city of Lynn shall have authority to borrow, in excess of its statutory limit of indebtedness, a sum not exceeding one million two hundred thousand dollars, and to issue therefor from time to time bonds or notes. Such bonds or notes shall be denominated on the face thereof, City of Lynn, Harbor Loan, Act of 1913; shall be signed by the treasurer of the city and countersigned by a majority of the municipal council; shall bear interest at a rate not exceeding four and one half per cent per annum, payable semi-annually; and shall be payable by such annual payments, beginning not more than one year after the date of each loan, as will extinguish each loan within thirty years from its date. The amount of such annual payment of any loan in any year shall not be less than the amount of the principal of said loan payable in any subsequent year. Each authorization of a bond or note shall constitute a separate loan. The city may sell the said securities at public or private sale upon such terms and conditions as it may deem proper, but they shall not be sold for less than their par value and the proceeds shall be used only for the purpose herein specified. Nothing herein contained, however, shall be construed as relieving the board of harbor and land commissioners of the right or duty to expend in improving Lynn harbor any portion of whatever sums may have been, or shall be, placed at their disposal for the improvement of the harbors of the state, but any appropriation hereunder by the city of Lynn shall be deemed evidence of the general public advantage and local interest referred to in section two of chapter four hundred and eighty-one of the acts of the year nineteen hundred and nine and of acts in addition thereto or amendment thereof.

City of Lynn, Harbor Loan, Act of 1913.

Report not to be invalid because of

Section 4. The report of the commission on the investigation of Lynn harbor, appointed under the provisions

of said chapter six hundred and six, as amended, shall not be invalid by reason of its failure to submit said report within the time specified: *provided*, that the same is filed within sixty days after said time; and *provided, further*, that for the purposes of determining the compensation of said commission, its service shall be regarded as having terminated at said time, *provided, however*, that any appropriation heretofore made by the municipal council of the city of Lynn to pay the expenses of said commission shall be available for the payment of all expenses incurred within said sixty days. All maps, plans, memoranda or data of any description procured by or furnished to the said commission on investigation of Lynn harbor, in pursuance of its investigation, authorized by the provisions of said chapter six hundred and six shall be and remain the property of the city of Lynn, and shall be turned over by said commission to the custody of the city clerk of said Lynn, who shall make such disposition of the same as the municipal council of the city shall determine; but said maps, plans, data and memoranda shall be available for the inspection and examination and use of the board of harbor and land commissioners.

failure to file within time specified.

Provisos.

Section 5. This act shall take effect upon its passage.

Approved April 26, 1913.

An Act in addition to the several acts making appropriations for sundry miscellaneous expenses authorized during the present year or by previous laws.

Chap. 544

Be it enacted, etc., as follows:

Section 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, unless herein otherwise provided, for the purposes specified, to wit: —

Appropriations.

For printing and distributing four thousand additional copies of the report of the commission to study the question of the support of dependent minor children of widowed mothers, as authorized by chapter eight of the resolves of the present year, a sum not exceeding two hundred and fifty dollars.

Report of commission on support of dependent minor children of widowed mothers.

For the publication of the opinions of the attorney-general, as authorized by chapter eleven of the resolves of the present year, a sum not exceeding twenty-five hundred dollars.

Opinions of attorney-general.

Manual of laws concerning charities.

For the preparation and publication of a manual of the laws concerning the charities of the commonwealth, as authorized by chapter fourteen of the resolves of the present year, a sum not exceeding six hundred dollars, the same to be expended under the direction of the state board of charity.

Charles F. Pidgin.

For a pension for Charles F. Pidgin, as authorized by chapter fifteen of the resolves of the present year, a sum not exceeding four hundred and twenty-five dollars.

Index of war and military records.

For the expense of making an index of the war and military records in the archives of the adjutant general, as authorized by chapter sixteen of the resolves of the present year, a sum not exceeding twenty-five hundred dollars, the same to be in addition to any amount heretofore appropriated for this purpose.

Mary A. McLaughlin.

For Mary A. McLaughlin, administratrix of the estate of Michael Londergan, as authorized by chapter eighteen of the resolves of the present year, the sum of eighty-nine dollars and forty-eight cents, the same to be paid out of the treasury of the commonwealth from the Escheated Estates Fund.

Andrew F. Reed.

For Andrew F. Reed, as authorized by chapter twenty of the resolves of the present year, the sum of twenty-three dollars and fifteen cents.

Calvin M. Cram.

For Calvin M. Cram, executor of the will of Mary I. Cram, as authorized by chapter twenty-one of the resolves of the present year, the sum of seventy-seven dollars and twenty-one cents.

Investigation of infantile paralysis.

For further investigation by the state board of health of infantile paralysis, as authorized by chapter twenty-two of the resolves of the present year, a sum not exceeding ten thousand dollars.

Massachusetts Charitable Eye and Ear Infirmary.

For the Massachusetts Charitable Eye and Ear Infirmary, as authorized by chapter twenty-three of the resolves of the present year, the sum of forty-five thousand dollars.

Industrial school for deaf mutes.

For the New England industrial school for deaf mutes, as authorized by chapter twenty-four of the resolves of the present year, the sum of thirty-five hundred dollars.

Shepherd M. Crain.

For Shepherd M. Crain, as authorized by chapter twenty-five of the resolves of the present year, the sum of seventeen dollars and sixty cents.

Officers of Company I, M. V. M.

For certain officers of company I of the sixth regiment of Massachusetts volunteer militia, as authorized by chapter twenty-seven of the resolves of the present year, the sum of one hundred and fifty dollars.

For certain expenses of the association of justices of district, police and municipal courts, as authorized by chapter thirty of the resolves of the present year, a sum not exceeding five hundred dollars. Expenses of association of justices of district, police and municipal courts.

For reimbursing the Old Colony Railroad Company for certain rent paid, as authorized by chapter thirty-one of the resolves of the present year, the sum of eleven thousand six hundred sixty-six dollars and sixty-seven cents, to be paid from the Port of Boston Fund. Old Colony Railroad Company.

For expenses for the representation of the commonwealth at the fiftieth anniversary of the battle of Gettysburg, as authorized by chapter thirty-two of the resolves of the present year, a sum not exceeding twenty-five hundred dollars. Representation at anniversary of battle of Gettysburg.

For an annuity for Elbridge G. Gigger, as authorized by chapter thirty-four of the resolves of the present year, a sum not exceeding one hundred thirty-seven dollars and fifty cents, the same to be in addition to the amount heretofore appropriated for this purpose. Elbridge G. Gigger.

For expense of printing additional copies of the special report of the board of education relative to retirement allowances for public school teachers, as authorized by chapter thirty-five of the resolves of the present year, a sum not exceeding fifty dollars. Special report of board of education.

For an annuity for Samantha Talbot and Delia A. Daley, beginning March twenty-eighth, nineteen hundred and thirteen, as authorized by chapter thirty-six of the resolves of the present year, a sum not exceeding one hundred one dollars and sixty-four cents. Samantha Talbot and Delia A. Daley.

For expenses of the preparation, advertising and issuance of bonds of the commonwealth, as authorized by chapter thirty-seven of the resolves of the present year, a sum not exceeding twelve hundred dollars. Preparation, etc., of bonds.

For certain improvements at the Massachusetts hospital school, as authorized by chapter thirty-eight of the resolves of the present year, a sum not exceeding ten thousand dollars. Massachusetts hospital school.

For the improvement and care of the burial place of Charles Holbrook of Wayland, as authorized by chapter thirty-nine of the resolves of the present year, the sum of four hundred dollars, to be paid from the Escheated Estates Fund. Burial place of Charles Holbrook.

For the expense of constructing a certain highway at or near Salisbury beach in the town of Salisbury, as authorized Construction of highway at Salisbury beach.

by chapter seven hundred and forty-six of the acts of the year nineteen hundred and eleven, a sum not exceeding nine thousand seven hundred and fifty dollars.

Cumulative index.

For the preparation of a cumulative index of the acts and resolves of the present year, as authorized by chapter one hundred and eighty-five of the acts of the year nineteen hundred and twelve, a sum not exceeding fifteen hundred dollars.

Clerical assistance to register of probate and insolvency, Middlesex county.

For clerical assistance to the register of probate and insolvency for the county of Middlesex, a sum not exceeding three hundred thirty-three dollars and thirty-three cents, the same to be in addition to any amount heretofore appropriated for this purpose.

Art commission.

For the expenses of the art commission, as authorized by chapter two hundred and twenty-five of the acts of the present year, a sum not exceeding one hundred dollars.

Clerical assistance to register of probate and insolvency, Norfolk county.

For clerical assistance to the register of probate and insolvency for the county of Norfolk, as authorized by chapter two hundred and twenty-seven of the acts of the present year, a sum not exceeding seven hundred thirty-three dollars and thirty-three cents.

Suppression of gypsy and brown tail moths.

For the suppression of the gypsy and brown tail moths, as authorized by chapter two hundred and ninety-three of the acts of the present year, a sum not exceeding seventy-five thousand dollars, the same to be in addition to any amount heretofore appropriated for this purpose.

Recreation park on Charles river.

For the maintenance of a recreation park on Charles river in the city of Waltham by the metropolitan park commission, as authorized by chapter two hundred and ninety-seven of the acts of the present year, a sum not exceeding one thousand dollars, the same to be paid from the Metropolitan Parks Maintenance Fund.

Aid to free public libraries.

For aid to free public libraries in small towns, to be expended under the direction of the board of free public library commissioners, as authorized by chapter three hundred and sixteen of the acts of the present year, a sum not exceeding fourteen hundred dollars, the same to be in addition to any amount heretofore appropriated for this purpose.

Encouragement of agriculture.

For the encouragement of agriculture among children and youths, to be expended under the direction of the board of agriculture, as authorized by chapter three hundred and nineteen of the acts of the present year, a sum not exceeding one thousand dollars.

To adjust certain salaries in the department of the treasurer and receiver general, as authorized by chapter three hundred and thirty-six of the acts of the present year, the following modifications of appropriations already passed and necessary increases are made: — For the salary of the deputy the unexpended balance of the appropriation for the chief clerk is hereby made available, and in addition a further sum not exceeding two hundred and seventy-four dollars; for the salary of the accountant the balance of the appropriation for the second clerk is hereby made available, and in addition a further sum not exceeding three hundred sixty-six dollars and sixty-seven cents; for the salary of the bond clerk the unexpended balance of the appropriation for the third clerk is hereby made available; for the salary of the receiving teller, a sum not exceeding one hundred eighty-three dollars and thirty-four cents, the same to be in addition to any amount heretofore appropriated for this purpose; for the salary of the paying teller, a sum not exceeding one hundred eighty-three dollars and thirty-four cents, the same to be in addition to any amount heretofore appropriated for this purpose; for the salary of the assistant receiving teller, the unexpended balance of the appropriation for the bank messenger is hereby made available; for the salary of the assistant paying teller, a sum not exceeding two hundred and seventy-five dollars, the same to be in addition to any amount heretofore appropriated for this purpose; and for the salary of the cashier, a sum not exceeding two hundred and seventy-five dollars, the same to be in addition to any amount heretofore appropriated for this purpose. Salaries in treasurer's department.

For the expense of the rent of armories of the third class for the year nineteen hundred and twelve there may be transferred from the unexpended balance of the appropriation for the rent of armories of the second class for the year nineteen hundred and twelve, the sum of fourteen hundred and sixty-three dollars. Rent of armories.

For authorized expenses of committees of the present general court, including clerical assistance to committees authorized to employ the same, a sum not exceeding five thousand dollars, the same to be in addition to any amount heretofore appropriated for this purpose. Expenses of committees.

Section 2. This act shall take effect upon its passage.

Approved April 26, 1913.

*Chap.*545 AN ACT RELATIVE TO THE ANNUITIES OF WIDOWS AND CHILDREN OF POLICE OFFICERS OF THE METROPOLITAN PARK COMMISSION.

Be it enacted, etc., as follows:

1909, 453, § 4, amended.

SECTION 1. Section four of chapter four hundred and fifty-three of the acts of the year nineteen hundred and nine is hereby amended by striking out the word "four", in the fifth line, and by inserting in place thereof the word: — six, — so as to read as follows: — *Section 4.* If any officer of the metropolitan park police shall die from injuries received while in the discharge of his duty and shall leave a widow, or if no widow, any child or children under the age of sixteen years, a sum not exceeding six hundred dollars may be paid as an annuity to such widow so long as she remains unmarried, or for the benefit of such child or children so long as he or any one of them continue under the age of sixteen years, and the metropolitan park commission may from time to time determine the amount of such annuity within the limits aforesaid.

Annuity may be paid to widow, etc.

SECTION 2. This act shall take effect upon its passage.

Approved April 26, 1913.

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*Chap.*546 AN ACT TO GIVE TO CITIES ORIGINAL JURISDICTION AND CONCURRENT JURISDICTION WITH COUNTY COMMISSIONERS OVER HIGHWAYS, COUNTY ROADS AND BRIDGES.

Be it enacted, etc., as follows:

Cities to have jurisdiction over highways, etc., within their limits, etc.

SECTION 1. The city council or other governing body of a city may exercise original jurisdiction, and concurrent jurisdiction with the county commissioners, of petitions for altering, widening, fixing grades, relocating or making specific repairs upon a highway, county road, or county bridge, within the city limits, but except as to such part thereof as, by such action, become unnecessary for public use, a city shall not discontinue any highway, county road, or county bridge, or diminish the width thereof, nor shall it assess any part of the expense of altering, widening, fixing grades, relocating or repairing, upon the county. The proceedings of cities and its officers under the provisions of this section, and the remedies of persons whose rights are affected thereby, shall be the same as in the case of the laying out of streets or highways.

Copy of record of final action by city council to be sent to county commissioners.

Section 2. Within two weeks after a city council or other governing body of a city has taken final action relative to the alteration, relocation, fixing grades, widening, or making specific repairs upon a highway, county road, or county bridge, under the provisions of the preceding section, the city clerk shall send a certified copy of the record of such final action to the county commissioners, who shall cause it to be recorded in the same manner in which their proceedings relative to highways and county bridges are recorded.

Public hearing to be given, etc.

Section 3. On an appeal to the county commissioners from the action of a city council or other governing body of a city, they shall give a public hearing, and not less than fourteen days' notice thereof, in the same manner and to the same persons as is requisite in the laying out of streets and highways, and also by causing a copy of the notice to be published in a newspaper designated by them, not less than seven days before the hearing.

Certain provisions of law to apply.

Section 4. The provisions of law relative to betterments shall apply to the action of cities relative to any highway, country road, or county bridge therein.

Not to affect certain provisions of law.

Section 5. The provisions of this act shall not affect the provisions of sections twenty-three to forty-five, inclusive, of Part I, and of sections one hundred and five to one hundred and twenty-five, inclusive, of Part II, of chapter four hundred and sixty-three of the acts of the year nineteen hundred and six, and of acts in amendment thereof and in addition thereto.

Section 6. This act shall take effect upon its passage.

Approved April 26, 1913.

An Act to authorize the town of Natick to incur indebtedness for sewer purposes. *Chap.* 547

Be it enacted, etc., as follows:

Town of Natick, Sewer Loan, Act of 1913.

Section 1. For the purposes specified in chapter four hundred and fifty-nine of the acts of the year eighteen hundred and ninety-four and amendments thereof, the town of Natick is hereby authorized to borrow the sum of fifty thousand dollars, in addition to the amounts heretofore authorized by law, for sewerage purposes, and the same shall not be reckoned in determining the statutory limit of indebtedness of the town, and the town may from time to time issue bonds or notes therefor. Each authorized issue of bonds or notes shall constitute a separate loan. The said

bonds or notes shall bear on their face the words, Town of Natick, Sewer Loan, Act of 1913, and shall be payable by such annual payments, beginning not more than one year after their dates, as will extinguish each loan within thirty years from the date thereof. The amount of such annual payment of any loan in any year shall not be less than the principal of said loan payable in any subsequent year. Said bonds or notes shall bear interest at a rate not exceeding five per cent per annum, payable semi-annually, and shall be signed by the treasurer and countersigned by the selectmen of the town. The town may sell the said securities at public or private sale upon such terms and conditions as it may deem proper, but they shall not be sold for less than their par value.

Payment of loan.

SECTION 2. The said town shall, at the time of authorizing said loan or loans, provide for the payment thereof in accordance with the provisions of section one of this act; and when a vote to that effect has been passed, a sum which, with the income derived from sewer rentals, will be sufficient to pay the annual expenses of operating its sewer system, and the interest as it accrues on the bonds or notes issued as aforesaid, and to make such payment on the principal as may be required under the provisions of this act, shall without further vote be assessed by the assessors of the town annually thereafter, in the same manner in which other taxes are assessed, until the debt incurred by said loan or loans is extinguished.

SECTION 3. This act shall take effect upon its passage.

Approved April 26, 1913.

Chap. 548 AN ACT TO EXTEND THE PROVISIONS OF THE CIVIL SERVICE TO CERTAIN EMPLOYEES OF THE CITY OF FALL RIVER.

Be it enacted, etc., as follows:

Certain employees of city of Fall River placed under civil service laws, etc.

SECTION 1. The civil service laws and the rules and regulations established thereunder are hereby made applicable to the clerical force and employees in the office of the collector of taxes and the office of the city treasurer in the city of Fall River, except that clerks and employees who have been employed in the said offices for ten years or more may continue in their respective employments without passing a civil service examination.

SECTION 2. This act shall take effect upon its passage.

Approved April 26, 1913.

AN ACT RELATIVE TO THE GRANTING OF LICENSES FOR OYSTER BEDS. *Chap.* 549

Be it enacted, etc., as follows:

Section one hundred and four of chapter ninety-one of the Revised Laws is hereby amended by striking out the word "ten", in the third line, and inserting in place thereof the word: — fifteen, — so as to read as follows: — *Section 104.* The mayor and aldermen of a city or selectmen of a town may, by writing under their hands, grant a license for a term not exceeding fifteen years to any inhabitant thereof to plant, grow and dig oysters at all times of the year, or to plant oyster shells for the purpose of catching oyster seed, upon and in any waters, flats and creeks therein, at any place where there is no natural oyster bed; not, however, impairing the private rights of any person, nor materially obstructing any navigable waters.

R. L. 91, § 104, amended.

City and town officers may grant licenses for planting, etc., of oysters.

Approved April 26, 1913.

AN ACT TO AUTHORIZE THE SOUTHBRIDGE WATER SUPPLY COMPANY TO INCREASE ITS CAPITAL STOCK. *Chap.* 550

Be it enacted, etc., as follows:

SECTION 1. Section two of chapter two hundred and eighty-nine of the acts of the year eighteen hundred and ninety-four is hereby amended by striking out the words "real and personal estate", in the third line, and inserting in place thereof the word: — land, — and by striking out the word "one", in the sixth line, and inserting in place thereof the word: — three, — so as to read as follows: — *Section 2.* Said company may, for the purposes set forth in its charter and in all acts in amendment thereof and in addition thereto, hold land to an amount not exceeding one hundred thousand dollars; and the whole capital stock of said company shall not exceed three hundred thousand dollars, to be divided into shares of fifty dollars each.

1894, 289, § 2, amended.

May hold additional land.

Capital stock.

SECTION 2. This act shall take effect on the first day of July in the year nineteen hundred and thirteen.

Time of taking effect.

Approved April 26, 1913.

Chap. 551 AN ACT RELATIVE TO THE WRONGFUL REMOVAL OF COLLARS FROM OR THE STEALING OF LICENSED AND COLLARED DOGS.

Be it enacted, etc., as follows:

R. L. 208, § 38, amended.

Section thirty-eight of chapter two hundred and eight of the Revised Laws is hereby amended by striking out the words "fifty dollars", in the fourth line, and inserting in place thereof the words: — one hundred dollars, or by six months' imprisonment, or by both such fine and imprisonment, for every such offence, — by striking out the word "ten", in the eighth line, and inserting in place thereof the word: — twenty, — and by striking out the word "fifty", in the same line, and inserting in place thereof the words: — one hundred, — so as to read as follows: — *Section 38.* Whoever wrongfully removes the collar from or steals a dog which is licensed and collared as provided in chapter one hundred and two shall be punished by a fine of not more than one hundred dollars, or by six months' imprisonment, or by both such fine and imprisonment, for every such offence; and whoever wrongfully kills, maims, entices or carries away such dog shall be liable to its owner for its value in an action of tort. Whoever distributes or exposes a poisonous substance, with intent that it shall be eaten by a dog, shall be punished by a fine of not less than twenty nor more than one hundred dollars. *Approved April 26, 1913.*

Penalty for wrongfully removing collar from, or stealing or killing, etc., a dog.

Chap. 552 AN ACT RELATIVE TO THE PROTECTION OF DEER FROM DOGS.

Be it enacted, etc., as follows:

R. L. 92, § 18, etc., amended.

SECTION 1. Section eighteen of chapter ninety-two of the Revised Laws, as amended by chapter one hundred and fifty-four of the acts of the year nineteen hundred and two, and by chapter two hundred and forty-five of the acts of the year nineteen hundred and five, is hereby further amended by striking out the said section, and inserting in place thereof the following: — *Section 18.* Any of the commissioners on fisheries and game, or their deputies, or any member of the district police, or any officer qualified to serve criminal process, may kill a dog found chasing or hunting deer at any time if the dog is used for such purpose with the knowledge and consent of his owner or keeper, and the owner or keeper of the dog shall be punished by a fine of fifty dollars. If a

Hunting, etc., of deer by dogs prohibited.

dog has twice been found chasing or hunting deer, and if the owner or keeper of the dog has so been notified on each occasion by the commissioners on fisheries and game, it shall be a presumption of law, if the same dog is thereafter found chasing or hunting deer, that such chasing or hunting was with the knowledge and consent of the said owner or keeper, unless the contrary is shown by evidence.

Section 2. This act shall take effect upon its passage.

Approved April 26, 1913.

An Act to authorize the town of Plympton to refund certain indebtedness. *Chap.* 553

Be it enacted, etc., as follows:

Town of Plympton may borrow money to refund certain indebtedness.

Section 1. For the purpose of meeting a note given by the town of Plympton and payable March thirteenth in the current year, the said town is authorized to borrow the sum of eighteen hundred dollars and to issue notes therefor. The said notes shall be for the sum of two hundred dollars each. One of the said notes shall be payable in the year nineteen hundred and fourteen, and the remaining eight notes shall be payable one in each succeeding year until all are paid. The said notes shall bear interest at a rate not exceeding five per cent per annum, payable semi-annually, and shall be signed by the treasurer of the town and countersigned by the selectmen. The amount necessary to pay the interest on the said notes and the principal as it becomes due each year, shall be raised annually by taxation in the same manner in which the other expenses of the town are provided for, without further action by the town, the town having already voted to petition the general court for authority to issue the notes as aforesaid.

Section 2. This act shall take effect upon its passage.

Approved April 26, 1913.

An Act relative to the laying out of public streets in the city of Boston. *Chap.* 554

Be it enacted, etc., as follows:

Certain part of city of Boston placed under jurisdiction of street commissioners.

Section 1. The board of street commissioners of the city of Boston shall have the same jurisdiction and authority over that part of said city bounded by the Back Bay Fens, Brookline avenue and the Boston and Albany railroad which it has over other territory in the city.

Not to affect certain powers of park commissioners.

SECTION 2. The authority conferred upon the board of street commissioners by this act shall not affect or limit the powers conferred upon the park commissioners of the city by chapter five hundred and forty of the acts of the year eighteen hundred and ninety-eight.

Repeal.

SECTION 3. So much of chapter four hundred and thirty-nine of the acts of the year eighteen hundred and ninety-four, and of any other acts and parts of acts as is inconsistent herewith, is hereby repealed.

Time of taking effect.

SECTION 4. This act shall take effect upon its acceptance by the city council of the city of Boston.

Approved April 26, 1913.

Chap. 555 AN ACT RELATIVE TO THE WATER LOAN OF THE CITY OF WALTHAM.

Be it enacted, etc., as follows:

1909, 122, § 1, amended.

SECTION 1. Section one of chapter two hundred and twenty-two of the acts of the year nineteen hundred and nine is hereby amended by striking out the word "four", in the fifteenth line, and inserting in place thereof the words: — four and one half, — so as to read as follows: — *Section 1.*

Waltham Water Loan, Act of 1909.

The city of Waltham, for the purposes mentioned in chapter three hundred and thirty-seven of the acts of the year eighteen hundred and seventy-two, entitled "An Act to supply the town of Waltham with water", may issue from time to time bonds, notes or scrip to an amount not exceeding one hundred thousand dollars in addition to the amounts heretofore authorized by law to be issued by said city for water works purposes; but the same shall not be reckoned in determining the statutory limit of indebtedness of the city. Such bonds, notes or scrip shall bear on their face the words, Waltham Water Loan, Act of 1909; shall be payable at the expiration of periods not exceeding thirty years from the dates of issue; shall bear interest payable semi-annually at a rate not exceeding four and one half per cent per annum; and shall be signed by the treasurer of the city and countersigned by the mayor. Said city may sell such securities at public or private sale, or pledge the same for money borrowed for the purposes of this act, upon such terms and conditions as it may deem proper: *provided*, that such securities shall not be sold for less than the par value thereof; and *provided, further*, that no part of the proceeds of the sale of

Provisos.

said bonds, notes or scrip shall be used in payment of running expenses.

Section 2. This act shall take effect upon its passage.

Approved April 26, 1913.

An Act to authorize the town of Amherst to refund certain indebtedness. *Chap.* 556

Be it enacted, etc., as follows:

Town of Amherst may issue notes to refund certain indebtedness.

Section 1. The town of Amherst, for the purpose of refunding fifteen thousand dollars of the schoolhouse loan of eighteen thousand dollars issued in the year nineteen hundred and four and payable in the year nineteen hundred and fourteen, is hereby authorized to incur indebtedness to the amount of fifteen thousand dollars, and to issue notes of the town therefor. Such notes shall be payable at such times, beginning not more than one year after the date of the first note, as will extinguish the loan by annual payments within ten years from the said date; and the amount of such annual payment in any year shall not be less than the amount of the principal payable in any subsequent year. Said notes shall bear interest at a rate not exceeding four and one half per cent per annum, payable semi-annually; and the amount required to pay the interest and principal maturing each year shall be raised by taxation, and shall, without further action by the town, be assessed annually by the assessors in the same manner in which other taxes are assessed until the debt is extinguished.

Duties of town treasurer.

Section 2. The treasurer of the town of Amherst, with the approval of the selectmen, is hereby authorized, without further vote of the town, to incur indebtedness under the provisions of this act and to issue notes of the town therefor.

Section 3. This act shall take effect upon its passage.

Approved April 26, 1913.

An Act relative to the construction of a system of sewerage by the town of Amherst. *Chap.* 557

Be it enacted, etc., as follows:

1912, 484, § 8, amended.

Section 1. The first sentence of section eight of chapter four hundred and eighty-four of the acts of the year nineteen hundred and twelve is hereby amended by striking out the words "*provided*, that it shall not pay less than one third nor more than two thirds of the whole cost", in the third,

fourth and fifth lines, so that the first sentence of said section will read as follows: — The town of Amherst shall by vote determine what proportion of the cost of said system or systems of sewerage and sewage disposal said town shall pay.

Determination of cost to the town.

1912, 484, § 8, further amended.

SECTION 2. The third sentence of said section eight is hereby amended by inserting after the word "provided", in the thirteenth line of said section, the words: — or benefits and betterments may be assessed by any of the methods provided by the Revised Laws or any amendments thereof, — so that the third sentence of said section will read as follows: — The owners of such estates shall be assessed by said board of sewer commissioners their proportional parts, respectively, of such portion of the total cost of said systems as is not borne by the town as above provided, or benefits and betterments may be assessed by any of the methods provided by the Revised Laws or any amendments thereof.

Sewer assessments.

SECTION 3. This act shall take effect upon its passage.

Approved April 26, 1913.

Chap. 558 AN ACT RELATIVE TO THE DRAINAGE OF MEDFORD STREET IN THE CITY OF SOMERVILLE.

Be it enacted, etc., as follows:

Drainage of Medford street in city of Somerville.

SECTION 1. In the abolition of the railroad grade crossing at Medford street in Somerville now being made under a decree of the superior court, there shall be provided as a part of the work of construction such method for removing all surface and storm water from the new low grade of the street into the drainage system of the city of Somerville as may be approved by the metropolitan water and sewerage board, instead of the connection with the metropolitan sewerage system as required by the decree, and the expense shall be treated as one of the expenses of the abolition of the crossing.

SECTION 2. This act shall take effect upon its passage.

Approved April 26, 1913.

Chap. 559 AN ACT RELATIVE TO THE FILING AND CERTIFICATION OF PRIMARY NOMINATION PAPERS OF CANDIDATES IN MUNICIPAL ELECTIONS.

Be it enacted, etc., as follows:

Filing and certification of nomination

SECTION 1. All nomination papers of candidates to be voted for at city or town primaries shall be filed with the

city or town clerk not less than fourteen days previous to the day on which the primary is to be held for which the nominations are made. Every such nomination paper shall be submitted at or before five o'clock in the afternoon of the Saturday preceding the day on which it must be filed to the registrars of the city or town in which the signers appear to be voters, and the registrars shall forthwith certify thereon a number of signatures which are names of voters of the party represented by the candidate whose name appears in the nomination papers both in the city or town and in the district for which the nomination is made. They need not certify a greater number of names than are required to make a nomination with one fifth of such number added thereto. Names not certified in the first instance shall not thereafter be certified on the same nomination papers. The city or town clerk shall not be required, in any case, to receive nomination papers for a candidate after receiving papers containing a sufficient number of certified names to make a nomination with one fifth of such number added thereto.

papers for city or town primaries.

Section 2. This act shall take effect upon its passage.

Approved April 26, 1913.

An Act relative to call members in the fire department of the town of Milton. *Chap.* 560

Be it enacted, etc., as follows:

Section 1. Members of the fire department of the town of Milton, known as call members, who are not over forty-five years of age, who have served in the said department continuously for not less than five years and who are certified by the civil service commissioners to be then physically qualified, shall be eligible for the permanent force of that department without further examination.

Call members of fire department in Milton eligible to permanent force.

Section 2. So much of any act as is inconsistent herewith is hereby repealed.

Repeal.

Section 3. This act shall take effect upon its passage.

Approved April 26, 1913.

An Act to authorize the town of Sandwich to supply itself with water. *Chap.* 561

Be it enacted, etc., as follows:

Section 1. The town of Sandwich may supply itself and its inhabitants with water for the extinguishment of fires and for domestic and other purposes; may establish

Town of Sandwich may supply itself with water.

fountains and hydrants, and relocate or discontinue the same, and may regulate the use of the water and fix and collect rates to be paid therefor.

May take lands, water sources, etc.

SECTION 2. The said town may obtain its water supply by means of driven, artesian or other wells, or may take, or acquire by purchase or otherwise, and hold the water of any pond, stream or spring, or artesian or driven well, within the limits of the town, and the water rights connected with any such water sources, and also all lands, rights of way and easements necessary for holding and preserving the water and for conveying the same to any part of the town: *provided*, that no source of water supply for domestic purposes and no lands necessary for preserving the quality of such water shall be taken without first obtaining the advice and approval of the state board of health. Said town may also erect on the land taken or held as aforesaid, proper dams, buildings, reservoirs, standpipes, tanks and other structures and may make excavations, procure and operate machinery and provide such other means and appliances as may be necessary for the establishment and maintenance of complete and effective water works; and may construct and lay conduits, pipes and other works under or on any lands, water courses, railroads, railways or public or private ways, and along any such ways, in such manner as not unnecessarily to obstruct the same; and for the purpose of constructing, maintaining and repairing such conduits, pipes and other works and for all proper purposes of this act the town may dig up any lands or ways in such manner as to cause the least hindrance to public travel on such ways. The town shall not enter upon, or construct or lay any conduits, pipes or other works within, the location of any railroad corporation except at such times and in such manner as it may agree upon with such corporation, or, in case of failure to agree, as may be approved by the board of railroad commissioners.

Proviso.

May erect structures, lay pipes, etc.

Description of land, etc., taken to be recorded.

SECTION 3. The town shall, within ninety days after the taking of any land, rights of way, water rights, water sources or easements as aforesaid, file and cause to be recorded in the registry of deeds for the county and district within which such land or other property is situated, a description thereof sufficiently accurate for identification, with a statement of the purpose for which the same were taken, signed by the water commissioners hereinafter provided for.

Damages.

SECTION 4. The town shall pay all damages to property sustained by a person or corporation by the taking of any

land, right of way, water, water source, water right or easement, or by any other thing done by the town under authority of this act. Any person or corporation sustaining damages as aforesaid, who fails to agree with the town as to the amount thereof, may have the same determined in the manner provided by law in the case of land taken for laying out highways, on application at any time within the period of two years after the taking of such land or other property or the doing of other injury under authority of this act; but no such application shall be made after the expiration of two years, and no assessment of damages upon any such application shall be made for the taking of any water or water right, or for any injury thereto, until the water is actually withdrawn or diverted by said town under the authority of this act.

Town of Sandwich Water Loan, Act of 1913.

Section 5. The said town may, for the purpose of paying the necessary expenses and liabilities incurred under the provisions of this act, issue from time to time bonds or notes to an amount not exceeding seventy-five thousand dollars. Each authorized issue of bonds or notes shall constitute a separate loan. Such bonds or notes shall bear on their face the words, Town of Sandwich Water Loan, Act of 1913, and shall be payable at the expiration of periods not exceeding thirty years from the date of each loan; shall bear interest, payable semi-annually, at a rate not exceeding five per cent per annum; and shall be signed by the treasurer of the town and countersigned by the water commissioners hereinafter provided for. The town may sell the said securities at public or private sale, and upon such terms and conditions as it may deem proper; but they shall not be sold for less than their par value, and the proceeds shall be used only for the purpose herein specified.

Payment of loan.

Section 6. The town shall, at the time of authorizing each loan, provide for the payment thereof in such annual payments, beginning not more than one year after the date thereof, as will extinguish each loan within thirty years from its date; and the amount of such annual payment of any loan in any year shall not be less than the amount of the principal of the loan payable in any subsequent year. When a vote to the foregoing effect has been passed, a sum which, with the income derived from water rates, will be sufficient to pay the annual expense of operating its water works and the interest as it accrues on the bonds or notes issued as aforesaid by the town, and to make such payments on the

principal as may be required under the provisions of this act, shall, without further vote, be assessed by the assessors of the town annually thereafter, in the same manner in which other taxes are assessed, until the debt incurred by said loan or loans is extinguished.

Town may contract for purchase or sale of water, etc.

SECTION 7. The town may contract with any person or corporation, and may purchase any interest in any property which may be deemed necessary to carry out the provisions of this act, and may hold such interest and property and may contract to buy or sell water with any adjoining town or any company serving such town, with the approval of the state board of health.

Penalty for pollution, etc., of water, etc.

SECTION 8. Whoever wilfully or wantonly corrupts, pollutes or diverts any water taken or held by said town under this act, or destroys or injures any structure, work or other property owned, held or used by the town under the authority and for the purposes of this act shall forfeit and pay to the town three times the amount of damages assessed therefor, to be recovered in an action of tort; and upon conviction of any of the said wilful or wanton acts shall be punished by a fine not exceeding three hundred dollars or by imprisonment for a term not exceeding one year.

Water commissioner, election, terms, etc.

SECTION 9. The town shall, after its acceptance of this act, at a town meeting called for the purpose, elect by ballot three persons to hold office, one until the expiration of three years, one until the expiration of two years and one until the expiration of one year from the next succeeding annual town meeting, to constitute a board of water commissioners; and at every annual town meeting thereafter one water commissioner shall be elected by ballot for a term of three years. All the authority granted to said town by this act and not otherwise specifically provided for shall be vested in said board of water commissioners, who shall be subject however to such instructions, rules and regulations as the town may impose by its vote. A majority of said commissioners shall constitute a quorum for the transaction of business. Any vacancy occurring in the board from any cause may be filled for the remainder of the unexpired term by the town at any town meeting called for the purpose.

Quorum.

Vacancy.

Time of taking effect.

SECTION 10. This act shall take effect upon its acceptance by a majority of the voters present and voting thereon by ballot at any annual town meeting of the town of Sandwich held within three years after its passage, or by a two thirds vote at any special meeting called for the purpose

within that time, at which special meeting a majority of the voters shall be present and voting; but the number of special meetings so called in any one year shall not exceed two. So far as it relates to acceptance by the said town this act shall take effect upon its passage.

Approved April 26, 1913.

AN ACT TO AUTHORIZE THE CITY OF SPRINGFIELD TO EXTEND CERTAIN STREETS AND TO INCUR INDEBTEDNESS THEREFOR. *Chap.* 562

Be it enacted, etc., as follows:

City of Springfield may incur indebtedness for extension of certain streets, etc.

SECTION 1. The city of Springfield, for the purpose of laying out and extending North street to Dwight street, under the station and tracks of the Boston and Albany Railroad, and laying out and extending Water street to Fulton street, under the tracks of the New York, New Haven and Hartford Railroad Company, the Boston and Albany Railroad and the Boston and Maine Railroad, may incur indebtedness to an amount not exceeding four hundred thousand dollars, and may issue bonds or notes therefor, to be denominated on the face thereof, Dwight and Water Streets, Railroad Underpass Loan, City of Springfield, Act of 1913. Such bonds or notes shall be signed by the treasurer of the city and countersigned by the mayor; shall be payable at the expiration of periods not exceeding thirty years from their respective dates; shall bear interest at a rate not exceeding four and one half per cent per annum, and shall not be reckoned in determining the statutory limit of indebtedness of the city. Each authorized issue of bonds or notes shall constitute a separate loan. The city may sell the said securities at public or private sale upon such terms or conditions as it may deem proper, but they shall not be sold for less than their par value.

Dwight and Water Streets, Railroad Underpass Loan, City of Springfield, Act of 1913.

Payment of loan.

SECTION 2. The city, at the time of authorizing said loan or loans, shall provide for the payment thereof in such annual payments, beginning not more than one year after the date of each of said loans, as will extinguish each loan within thirty years from its date; and when such provision has been made the amount required thereby shall, without further vote, annually be assessed by the assessors of the city, in the same manner in which other taxes are assessed, until the whole debt is extinguished.

Decree of county commissioners confirmed, etc.

SECTION 3. The decree of the county commissioners of the county of Hampden, filed October ninth, nineteen

hundred and twelve, authorizing the city of Springfield to lay out said streets as public ways, is hereby confirmed, and the city of Springfield is authorized to lay out and extend said streets or ways in accordance with the provisions of said decree. The bridges carrying the railroad tracks over said streets, and the abutments thereof, shall be subject to the approval of the board of railroad commissioners.

Bridges, etc., subject to approval of railroad commissioners.

Repeal.

SECTION 4. All acts and parts of acts inconsistent herewith are hereby repealed.

SECTION 5. This act shall take effect upon its passage.

Approved April 26, 1913.

Chap. 563 AN ACT RELATIVE TO ILLEGITIMATE CHILDREN AND THEIR MAINTENANCE.

Be it enacted, etc., as follows:

Courts having jurisdiction of complaints in cases of maintenance, etc., of illegitimate children.

SECTION 1. Whoever, not being the husband of a woman, gets her with child shall be guilty of a misdemeanor. Proceedings under any section of this act may be begun in the municipal, district or police court having jurisdiction in the place where the defendant lives, and if there be no such court, then in any municipal, district or police court in the county; or in the municipal, district or police court having jurisdiction in the place where the mother of the illegitimate child lives; and if there be no such court, then in any municipal, district or police court in the county. If no court has jurisdiction as aforesaid, proceedings may be begun before a trial justice in the county where such defendant or such mother lives.

Adjudication to be final unless appeal is made to superior court.

SECTION 2. If the defendant pleads guilty or nolo contendere, or is found guilty, the court or justice shall enter a judgment adjudging him the father of such child; but such adjudication shall not be made after a plea of not guilty, against the objection of the defendant, until the child is born or the court or justice finds that the mother is at least six months advanced in pregnancy. No provision of law limiting adjournments or continuances shall apply to proceedings under any section of this act. At the sitting when such adjudication is made, if made after a plea of not guilty, the defendant may appeal therefrom to the superior court as in other criminal cases. Such adjudication, whether any sentence be imposed or not, shall be final and conclusive unless an appeal from such adjudication to the superior court be taken as hereinbefore provided, or, if such adjudi-

cation, be made by the superior court, unless set aside upon an appeal taken not later than three days thereafter under the provisions of section thirty-two of chapter two hundred and nineteen of the Revised Laws, or upon exceptions. Such adjudication may be entered by the superior court notwithstanding exceptions have been alleged or an appeal has been taken. The court or justice making such adjudication may within one year thereafter grant a new trial for any cause.

New trial may be granted for cause.

Section 3. If the court or justice having jurisdiction of any case under any section of this act becomes satisfied that no living child will be born of which the defendant at the time of making the complaint was the father, or that the defendant and the mother have married each other and the child has become or will be the legitimate child of the defendant, or that adequate provision has been made for the maintenance of the child, the complaint may be dismissed and any adjudication vacated; and if the court or justice certifies that such provision has been made, no further complaint shall be maintained under any section of this act.

Complaint may be dismissed in certain cases, etc.

Section 4. If the child has not been born at the time of such adjudication, the court or justice having jurisdiction of the case shall continue the case from time to time until the child is born. At any time after such adjudication, after inquiring into the respective means of the defendant and the mother, the court or justice having jurisdiction of the case may make an order for the payment to the mother or to a probation officer of a sum of money to be determined by the court or justice for the expenses of the confinement of the mother, and for failure to comply with such order may order that the defendant be committed to jail, as for a contempt of court, for a term not exceeding two months, unless he shall sooner comply with the order of the court.

Court may make order for payment of money by defendant for certain expenses.

Penalty for failure to comply with order of court.

Section 5. After such adjudication, the court or justice having jurisdiction of the case may make such order as may be considered expedient relative to the care and custody of the child, and afterward from time to time may revise and alter the said order, as justice and the welfare of the child require, and the order shall be binding on all persons.

Court may make order relative to care, etc., of child.

Section 6. After such adjudication, and after the child has been born, the defendant shall be liable to contribute reasonably to the support of the child during minority, and shall be subject upon the original complaint under section one of this act, to all the penalties and all the orders for the support and maintenance of the child provided in the case

Liability of defendant for support of child, etc.

of a parent who is found guilty of unreasonably neglecting to provide for the support and maintenance of a minor child by chapter four hundred and fifty-six of the acts of the year nineteen hundred and eleven and acts in amendment thereof and in addition thereto; and the practice thereby established shall, so far as it is applicable, apply to proceedings under this section and the preceding sections of this act.

Penalty for neglect to provide for support of child, etc.

SECTION 7. Any father of an illegitimate child, whether such child shall have been begotten within or without this commonwealth, and whether such child shall have been begotten before or after the taking effect of this act, who neglects or refuses to contribute reasonably to the support and maintenance of such child shall be guilty of a misdemeanor, and, upon conviction thereof, shall be liable to all the penalties and all the orders for the support of the child provided in the case of a parent who is found guilty of unreasonably neglecting to provide for the support and maintenance of a minor child by chapter four hundred and fifty-six of the acts of the year nineteen hundred and eleven and acts in amendment thereof and in addition thereto; and the practice thereby established shall, so far as it is applicable, apply to proceedings under this section. If there has been any final adjudication under this act, such judgment, order or adjudication shall be conclusive on all persons in proceedings under this section; otherwise, the question of paternity shall be determined in proceedings under this section: *provided, however,* that no proceedings shall be maintained under the provisions of this act in any case where proceedings have been begun under chapter eighty-two of the Revised Laws and acts in amendment thereof or in addition thereto.

Final adjudication to be conclusive, etc.

Proviso.

Proceedings in case of appeal.

SECTION 8. Appealed proceedings under this act shall be placed on the trial list for each sitting of the superior court for the trial of criminal cases until tried, and shall have precedence next after the cases mentioned in section thirty-two of chapter one hundred and fifty-seven of the Revised Laws.

Repeal not to affect certain proceedings.

SECTION 9. Chapter eighty-two of the Revised Laws and all acts in amendment thereof or in addition thereto are hereby repealed; but this repeal shall not affect any proceeding begun before the first day of July, in the year nineteen hundred and thirteen.

Time of taking effect.

SECTION 10. This act shall take effect on the first day of July in the year nineteen hundred and thirteen.

Approved April 26, 1913.

An Act relative to public domain. *Chap.* 564

Be it enacted, etc., as follows:

Section 1. Section twenty-three of chapter twenty-eight of the Revised Laws is hereby amended by striking out the word "a", before the word "town", in the second line, and inserting in place thereof the words: — an annual, — by inserting after the word "therefor", in the eighth line, the words: — but the indebtedness so incurred shall be limited to an amount not exceeding one half of one per cent of the last preceding assessed valuation of the city or town, — and by striking out the words "commonwealth for the benefit of the", in the eleventh line, so as to read as follows: — *Section 23.* A town, by a vote of two thirds of the legal voters present and voting at an annual town meeting, or a city in which the city council consists of two branches, by a vote of two thirds of the members of each branch, and a city in which there is a single legislative board, by a vote of two thirds of the members thereof, present and voting thereon, may take or purchase land within their limits, which shall be a public domain, and may appropriate money and accept gifts of money and land therefor; but the indebtedness so incurred shall be limited to an amount not exceeding one half of one per cent of the last preceding assessed valuation of the city or town. Such public domain shall be devoted to the culture of forest trees, or to the preservation of the water supply of such city or town and the title thereto shall vest in the city or town in which it lies.

R. L. 28, § 23, amended.

Public domain, taking, purpose, etc.

Section 2. Said chapter twenty-eight is hereby further amended by striking out section twenty-five and inserting in place thereof the following: — *Section 25.* The city or town forester in each city or town, with one or more keepers appointed by him, shall have the management and charge of all such public domain in that city or town, and within such public domain shall have the powers of constables and police officers in towns. But a town by a vote of two thirds of the legal voters present and voting at an annual town meeting, or a city in which the city council consists of two branches, by a vote of two thirds of the members of each branch, and a city in which there is a single legislative board, by a vote of two thirds of the members thereof present and voting thereon, may place all such public domain within its limits under the general supervision and control of the

R. L. 28, § 25, amended.

Supervision and control of public domain.

state forester, who shall thereupon, upon notification thereof, make regulations for the care and use of such public domain and for the planting and cultivating of trees therein, and the city or town forester in such case and his keepers, under the supervision and direction of the state forester, shall be charged with the duty of enforcing all such regulations and of performing such labor therein as may be necessary for the care and maintenance thereof; and within such public domain shall have the powers of constables and police officers in towns.

R. L. 28, § 26, amended.

Building on public domain may be leased, etc.

SECTION 3. Said chapter twenty-eight is hereby further amended by striking out section twenty-six and inserting in place thereof the following: — *Section 26.* Any such city or town may lease any building on a public domain, and shall apply all sums derived from rents or from the sale of the products of any such domain, so far as may be necessary, to the management thereof.

R. L. 28, § 27, amended.

Building may be erected on public domain.

Proviso.

SECTION 4. Said chapter twenty-eight is hereby further amended by striking out section twenty-seven and inserting in place thereof the following: — *Section 27.* Any city or town in which such a public domain is situated may erect thereon any building for public instruction or recreation: *provided,* that if such public domain has been placed under the supervision and control of the state forester, under the provisions of this act, no such building shall be erected unless his approval shall first be obtained.

R. L. 28, § 29, amended.

Public Domain Loan, Act of 1913.

SECTION 5. Said chapter twenty-eight is hereby further amended by striking out section twenty-nine and inserting in place thereof the following: — *Section 29.* For the purpose of defraying the expenses incurred under the provisions of the six preceding sections any city or town may issue from time to time, and to an amount not exceeding the sum actually expended for the taking or purchase of lands for such public domain, bonds or notes. Such bonds or notes shall be denominated on the face thereof, City or Town of , Public Domain Loan, Act of 1913; shall be payable by such annual payments, beginning not more than one year after the date thereof, as will extinguish each loan within thirty years from its date; and the amount of such annual payment of any loan in any year shall not be less than the amount of the principal of said loan payable in any subsequent year. Each authorized issue of bonds or notes shall constitute a separate loan. The bonds or notes shall bear interest at a rate not exceeding four and one half

per cent per annum, payable semi-annually; and shall be signed by the treasurer and countersigned by the mayor of the city or, in the case of a town, shall be signed by the treasurer and countersigned by the selectmen. The city, by its mayor and treasurer, and the town, by its selectmen and treasurer, may sell such bonds or notes at public or private sale, upon such terms and conditions as they may deem proper, but the bonds or notes shall not be sold for less than their par value; and the proceeds shall be used only for the purposes herein specified.

Payment of loan.

Section 6. The city or town shall at the time of authorizing said loan or loans provide for the payment thereof in accordance with the foregoing provisions of this act; and when a vote to that effect has been passed by the city council, or at any annual town meeting, a sum which will be sufficient to pay the interest as it accrues on the bonds or notes issued as aforesaid by the city or town, and to make such payments on the principal as may be required under the provisions of this act, shall, without further vote, be assessed by the assessors of the city or town annually thereafter, in the same manner in which other taxes are assessed, until the debt incurred by said loan or loans is extinguished.

Section 7. This act shall take effect upon its passage.

Approved April 26, 1913.

An Act to incorporate the South Natick Burial Association. *Chap.* 565

Be it enacted, etc., as follows:

South Natick Burial Association incorporated.

Section 1. Morton V. B. Bartlett, Curtis Broad, Henry M. Robbins, O. Augusta Cheney, Ellen A. Bailey and Florence L. Bartlett, their associates and successors, are hereby made a corporation under the name of the South Natick Burial Association for the purpose of maintaining and improving burial grounds in the town of Natick, and especially the burial ground on Union Street in that part of Natick known as South Natick, and called the "Old burying ground", with all the powers and privileges and subject to all the duties, liabilities and restrictions set forth in all general laws now or hereafter in force relating to cemetery corporations.

Powers and duties.

Section 2. The corporation hereby established may elect such officers and make such by-laws as it may deem expedient, may hold in trust or otherwise, real or personal property sufficient or convenient for the purposes of its in-

corporation, and may acquire by purchase or gift, and maintain any burial grounds in the said town.

SECTION 3. This act shall take effect upon its passage.

Approved April 26, 1913.

Chap. 566 AN ACT MAKING APPROPRIATIONS FOR SALARIES AND EXPENSES IN THE DEPARTMENT OF ANIMAL INDUSTRY.

Be it enacted, etc., as follows:

Appropriations, department of animal industry.

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, for the department of animal industry, for the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen, to wit: —

Salary of commissioner.

For the salary of the commissioner of animal industry, thirty-five hundred dollars.

Clerical assistance, etc.

For clerical assistance and other necessary office expenses, a sum not exceeding sixty-seven hundred dollars.

Inspectors of animals.

For the compensation of inspectors of animals, a sum not exceeding seventy-seven hundred dollars.

SECTION 2. This act shall take effect upon its passage.

Approved April 28, 1913.

Chap. 567 AN ACT MAKING APPROPRIATIONS FOR SALARIES AND EXPENSES IN THE BUREAU OF STATISTICS.

Be it enacted, etc., as follows:

Appropriations, bureau of statistics.

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, for salaries and expenses in the bureau of statistics, for the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen, to wit: —

Director.

For the salary of the director, four thousand dollars.

Deputy director.

For the salary of the deputy director, twenty-five hundred dollars.

Clerical assistance.

For additional clerical assistance, and special agents, a sum not exceeding fifty-two thousand dollars.

Expenses.

For contingent and office expenses, including printing and binding the annual reports, and travelling and other expenses in connection with the annual collection of statistics of manufactures, and also for expenses in connection with municipal returns, a sum not exceeding twenty-two thousand seven hundred and fifteen dollars.

For the establishment and maintenance of free employment offices in this commonwealth, a sum not exceeding twenty-eight thousand dollars. Free employment offices.

Section 2. This act shall take effect upon its passage.

Approved April 28, 1913.

An Act relative to the application of the workmen's compensation act to certain persons. *Chap.* 568

Be it enacted, etc., as follows:

Section 1. Paragraph three of section two of Part V of chapter seven hundred and fifty-one of the acts of the year nineteen hundred and eleven is hereby amended by inserting after the word "written", in the third line of said paragraph, the words: — except masters of and seamen on vessels engaged in interstate or foreign commerce, and, — so that said paragraph will read as follows: — "Employee" shall include every person in the service of another under any contract of hire, express or implied, oral or written, except masters of and seamen on vessels engaged in interstate or foreign commerce, and except one whose employment is but casual, or is not in the usual course of the trade, business, profession or occupation of his employer. Any reference to an employee who has been injured shall, when the employee is dead, also include his legal representatives, dependents and other persons to whom compensation may be payable. 1911, 751, Part V, § 2, amended. Term "employee" defined.

Section 2. This act shall take effect upon its passage.

Approved April 28, 1913.

An Act relative to the transportation of lobsters. *Chap.* 569

Be it enacted, etc., as follows:

Section 1. All barrels, boxes or other packages in transit containing lobsters shall be marked with the word "Lobsters" in capital letters at least one inch in length, together with the full name of the shipper. Said marking shall be placed in a plain and legible manner on the outside of such barrels, boxes or other packages, and in case of seizure by any duly authorized officer of any barrels, boxes or other packages in transit, containing lobsters, which are not so marked, or in case of seizure by any such officer of barrels, boxes or other packages in transit containing lobsters less than the prescribed length, such lobsters as are alive and less Transportation of lobsters regulated.

than the prescribed length shall be liberated, and all such lobsters as are of the prescribed length found in such barrels, boxes or packages shall be held and disposed of as hereinafter provided.

Penalties.

SECTION 2. Every association, corporation, firm or person who shall ship lobsters without having the barrels, boxes or other packages in which the same are contained marked as prescribed in section one shall upon conviction be punished by a fine not exceeding twenty-five dollars, and upon subsequent conviction thereof by a fine not exceeding fifty dollars; and any association, corporation, firm or person in the business of a common carrier of merchandise who shall knowingly carry or transport from place to place lobsters in barrels, boxes or other packages not so marked shall be liable to a penalty not exceeding fifty dollars for each conviction thereof and lobsters shipped in violation of this act shall be forfeited to the commonwealth.

Enforcement of act.

SECTION 3. For the purpose of the enforcement of the provisions of this act, any one of the commissioners on fisheries and game, or their deputies, or any member of the district police may, with or without a warrant, search any boat, car, box, locker, crate or package and any building where he has reason to believe any lobsters are being transported or held for transportation in violation of law, and may seize and hold any lobsters illegally transported: *provided, however*, that this section shall not authorize the entering of a dwelling house, and shall not apply to lobsters which are passing through this commonwealth under the authority of the laws of the United States.

Proviso.

Proceedings in case of seizure, etc.

SECTION 4. When any lobsters are seized by virtue of the provisions of this act, the officer making the seizure shall immediately notify the shipper thereof, if known. Thereafter he shall forthwith proceed to enforce, in accordance with the provisions of chapter two hundred of the Revised Laws, the forfeiture of such lobsters, so seized, as he is not required by law to liberate. He shall cause the appraisal required by section thirteen of said chapter two hundred to be made within twenty-four hours after the time of such seizure, and after said appraisal may sell the said lobsters at such time or in such manner as he may deem proper. He shall pay the proceeds thereof into the court before which the libel for forfeiture is pending, and the court may decree a forfeiture of said proceeds, or payment thereof to a claimant, or any other appropriate disposition thereof.

Approved May 2, 1913.

An Act relative to the branding of certain carcasses. *Chap.* 570

Be it enacted, etc., as follows:

Section 1. Chapter two hundred and forty-eight of the acts of the year nineteen hundred and twelve, as amended by chapter six hundred and three of the acts of the same year, is hereby further amended by striking out section three and inserting in place thereof the following: — *Section 3.* This act shall take effect on the first day of July, nineteen hundred and thirteen. 1912, 248, § 3, etc., amended. Time of taking effect.

Section 2. No person shall be punished for any violation of the provisions of said chapters committed before the passage of this act. This act shall apply to any proceedings pending under the said chapters. To apply to pending proceedings, etc.

Section 3. This act shall take effect upon its passage.

Approved May 2, 1913.

An Act relative to the maintenance of the bridge over the Connecticut river between the city of Chicopee and the town of West Springfield. *Chap.* 571

Be it enacted, etc., as follows:

Section 1. Chapter three hundred and ninety-eight of the acts of the year nineteen hundred and four is hereby amended by striking out section five and inserting in place thereof the following: — *Section 5.* The bridge shall be maintained and kept in repair and safe for travel by the city of Chicopee and the town of West Springfield as follows: — The approaches and abutments on the Chicopee side of the bridge and the two thirds of the bridge nearest to that side shall be maintained by the city of Chicopee, and the approaches and abutments on the other side of the bridge, and the one third of the bridge nearest to that side, shall be maintained by the town of West Springfield; and the city and town shall each be liable for defects in its part of the said bridge, its approaches and abutments, as aforesaid. 1904, 398, § 5, amended. Repair and maintenance of bridge.

Section 2. This act shall take effect upon its passage.

Approved May 2, 1913.

An Act relative to building lines in cities and towns. *Chap.* 572

Be it enacted, etc., as follows:

Section 1. Section one hundred and three of chapter forty-eight of the Revised Laws is hereby amended by strik- R. L. 48, § 103, amended.

ing out the words "parallel to, and", in the third line, by striking out the word "twenty-five", in the fourth line, and inserting in place thereof the word: — forty, — and by inserting after the word "line", in the ninth line, the following: — and except that buildings or parts of buildings existing at the time of the establishment of the building line may be permitted to remain and to be maintained to such extent and under such conditions as may be prescribed in the vote establishing such building line, — so as to read as follows: — *Section 103.* If the city council of a city or if a town accepts the provisions of this section or has accepted the corresponding provisions of earlier laws, a building line not more than forty feet distant from the exterior line of a highway or town way may be established in the manner provided for laying out ways, and thereafter no structures shall be erected or maintained between such building line and such way, except steps, windows, porticos and other usual projections appurtenant to the front wall of a building, to the extent prescribed in the vote establishing such building line, and except that buildings or parts of buildings existing at the time of the establishment of the building line may be permitted to remain and to be maintained to such extent and under such conditions as may be prescribed in the vote establishing such building line. Whoever sustains damage thereby shall have the same remedies therefor as for damages sustained by the laying out of a town way.

Establishment of building lines.

Damages.

SECTION 2. This act shall take effect upon its passage.

Approved May 2, 1913.

Chap. 573 AN ACT RELATIVE TO THE TAKING AND SALE OF PICKEREL.

Be it enacted, etc., as follows:

Close season for pickerel established.

SECTION 1. It shall be unlawful for a person to take pickerel between the first day of March and the first day of May in any year.

Selling, etc., of pickerel in close season prohibited.

SECTION 2. It shall be unlawful between the first day of March and the first day of May in any year to sell or offer or expose for sale or to have in possession a pickerel taken in this commonwealth.

Penalty.

SECTION 3. Whoever violates any provision of this act shall be punished by a fine of not more than ten dollars for each offence. The possession of a pickerel between the said

dates shall be prima facie evidence of a violation of the provisions of this act.

Section 4. Chapter one hundred and ten of the acts of the year nineteen hundred and twelve is hereby repealed. Repeal.

Approved May 2, 1913.

An Act relative to the sale of shingles. *Chap.*574

Be it enacted, etc., as follows:

Section 1. In this commonwealth all random width wooden shingles shall be sold in bunches or bundles measuring not less than twenty inches in width and containing not less than twenty-three courses or layers in one end and not less than twenty-four courses or layers in the other end. The shingles in each bunch or bundle when laid not more than five inches exposed surface to weather shall cover twenty-five square feet in area. Four such bundles or bunches of shingles shall constitute a unit of measure termed a thousand. Sale of shingles regulated.

Section 2. Violation of any provision of this act shall be punished by a fine of not less than five nor more than five hundred dollars for each offence. Penalty.

Section 3. All acts and parts of acts inconsistent herewith are hereby repealed. Repeal.

Section 4. This act shall take effect ninety days after its passage. Time of taking effect.

Approved May 2, 1913.

An Act to authorize cities and towns to provide free meals for school children. *Chap.*575

Be it enacted, etc., as follows:

Section 1. The city council of a city and the selectmen of a town may provide meals or lunches free or at such price, not exceeding the cost, as they may fix, for children attending its public schools, and cities and towns may appropriate money for this purpose. Cities and towns may provide free meals for school children, etc.

Section 2. This act shall be submitted to the voters of any city or town at the municipal election in any year if a petition to that effect, signed by not less than five per cent of the voters, is filed with the city clerk or town clerk, as the case may be, not less than one month before said election; and if accepted by a majority of the voters voting thereon it shall take effect in such city or town. Otherwise this act shall not take effect. Act to be submitted to voters.

Approved May 2, 1913.

*Chap.*576 AN ACT MAKING APPROPRIATIONS FOR CONTINUING THE PUBLICATION OF THE PROVINCE LAWS.

Be it enacted, etc., as follows:

Appropriation, publication of province laws.

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, for the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen, for completing the preparation and publication of the acts and resolves of the province of Massachusetts bay, to wit: —

Salary of editor.

For the salary of the editor, two thousand dollars.

Clerical assistance, etc.

For clerical services and a messenger, a sum not exceeding thirty-four hundred dollars.

Expenses.

For stationery, postage, travelling and other expenses, a sum not exceeding two hundred dollars.

Printing and binding.

For printing and binding such volumes as may be completed, a sum not exceeding twenty-five hundred dollars, the same to be in addition to any amount heretofore appropriated for this purpose.

SECTION 2. This act shall take effect upon its passage.

Approved May 2, 1913.

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*Chap.*577 AN ACT TO REGULATE THE ERECTION AND MAINTENANCE OF GARAGES IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

Erection and maintenance of garages in city of Boston regulated.

SECTION 1. In the city of Boston no building shall be erected for, or maintained as a garage for the storage, keeping or care for hire of automobiles until the issue of a permit therefor by the board of street commissioners of the city after notice and a public hearing upon an application filed with said board. The application for the permit shall be made by the owner of the parcel of land upon which such building is to be erected or maintained and shall contain the names and addresses of every owner of record of each parcel of land abutting thereon.

Notice of hearing, etc., to be published, etc.

SECTION 2. The notice required by the preceding section shall include a copy of the application and an order of said board specifying the time and place of the public hearing, and shall be given by publication once in each week for three successive weeks in some one newspaper regularly published in said city, and by mailing by prepaid registered mail a copy to every owner of record of each parcel of land abutting

on the parcel of land on which the building proposed to be erected for, or maintained as a garage is to be, or is situated, and the cost of such notice and proceedings shall be borne by the applicant.

Duties of street commissioners.

Section 3. At the time and place specified in the notice for the hearing the said board shall hear all parties interested, and after giving consideration to the interests of all owners of record notified, the general character of the neighborhood in which is situated the land or building referred to in the application, and the requirements of public convenience, shall determine whether or not the application shall be granted and a permit issued.

Not to apply to buildings so used at time of passage of act.

Section 4. The provisions of this act shall not apply to a building maintained as a garage for the storage, keeping or care for hire of automobiles at the time of the passage of this act, but any enlargement of, or addition to any such building shall be subject to the provisions of this act.

Penalty.

Section 5. Whoever erects or maintains a garage in violation of this act shall be subject to a fine of not less than ten nor more than fifty dollars for every day during which such violation continues. *Approved May 2, 1913.*

An Act to exempt from taxation personal property held for the care of graves, cemetery lots and similar purposes. *Chap.* 578

Be it enacted, etc., as follows:

Property held for care of graves, cemetery lots, etc., to be exempt from taxation.

Section 1. All personal property held by cities, towns, religious societies and cemeteries, whether incorporated or unincorporated, or by the treasurer and receiver general of the commonwealth or by any corporation, for the perpetual care of graves, cemetery lots and cemeteries, for the placing of flowers upon graves, for the care or renewal of gravestones, monuments or tombs, and for the care and maintenance of burial chapels, shall be exempt from taxation, but this exemption shall not apply to any such personal property held by a cemetery corporation which distributes any of the income or profits of its business among its stockholders or members.

Return to be made to tax commissioner.

Section 2. Every city, town, corporation, religious society or cemetery holding any personal property for any of the purposes mentioned in section one, and the treasurer and receiver general of the commonwealth shall annually between the first and tenth days of April make a

return to the tax commissioner, signed and sworn to in the case of a city, town, corporation, religious society or cemetery by its treasurer or other financial officer, and in the case of the treasurer and receiver general by him personally, setting forth as of the first day of April in the year in which the return is made, a statement, in such detail as the tax commissioner may require, of the personal property held by it or by him for said purposes.

Certain taxes to be abated.

SECTION 3. Cities and towns shall through their boards of assessors and other proper officers abate in full any taxes assessed during the year nineteen hundred and thirteen which could not have been assessed had this act been in force before April first, in the year nineteen hundred and thirteen.

SECTION 4. This act shall take effect upon its passage.

Approved May 2, 1913.

Chap. 579 AN ACT TO RELEASE A CERTAIN RESTRICTION AFFECTING CERTAIN LAND AT THE CORNER OF ARLINGTON AND NEWBURY STREETS IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

Parcel of land at corner of Newbury and Arlington streets released from certain restriction.

SECTION 1. The parcel of land in Boston bounded as follows: — Easterly on Arlington street one hundred and twelve feet; southerly on Newbury street one hundred and eighty-six feet; westerly on land now or formerly of Standish, by a line passing through the middle of the brick partition wall, one hundred and twelve feet; and northerly on a street or passageway sixteen feet wide, one hundred and eighty-six feet; also the fee and soil of so much of said passageway as lies southerly of its middle line and between the east and west boundary lines of the above described parcel extended; or however otherwise said premises may be bounded or described and be any or all of said measurements more or less, is, subject to the rights, if there be any, of parties other than the commonwealth, hereby released from the operation and effect of the restriction heretofore imposed on said land in deeds from the commonwealth that no cellar or lower floor of any building shall be placed more than four feet below the level of the mill dam as fixed by the top surface of the hammered stone at the southeast corner of the emptying sluices.

SECTION 2. This act shall take effect upon its passage.

Approved May 2, 1913.

An Act to authorize the town of New Marlborough to refund certain indebtedness. *Chap.* 580

Be it enacted, etc., as follows:

Town of New Marlborough may issue notes to refund certain indebtedness.

Section 1. The town of New Marlborough, for the purpose of refunding indebtedness aggregating forty-one hundred dollars and represented by demand notes, is hereby authorized to incur indebtedness to that amount and to issue eight notes of the town therefor, one for six hundred dollars and seven for five hundred dollars each. The said notes shall be payable as follows: — The note for six hundred dollars not more than one year after the date thereof, and one note of five hundred dollars annually thereafter, so that the whole loan will be paid within eight years from the date of the note first issued. The said notes shall bear interest at a rate not exceeding four and one half per cent per annum, payable semi-annually; and the amount required to pay the interest and principal maturing each year shall be raised by taxation, and shall, without further action by the town, be assessed annually by the assessors in the same manner in which other taxes are assessed, until the whole debt is extinguished.

Duties of town treasurer.

Section 2. The treasurer of the town of New Marlborough, with the approval of the selectmen, is hereby authorized, without further action by the town, to incur indebtedness under the provisions of this act and to issue notes of the town therefor.

Section 3. This act shall take effect upon its passage.

Approved May 2, 1913.

An Act to authorize the town of Stoughton to refund certain indebtedness. *Chap.* 581

Be it enacted, etc., as follows:

Town of Stoughton may issue notes to refund certain indebtedness.

Section 1. The town of Stoughton, for the purpose of refunding twenty-five thousand dollars represented by two demand notes held by the library trustees, is hereby authorized to incur indebtedness to that amount and to issue notes of the town therefor. Notes issued under authority of this act shall be payable by such annual payments, beginning not more than one year after the date of each note, as will extinguish the whole loan within twenty years from the date of the note first issued; and the amount of such

annual payment in any year shall not be less than the amount of the principal payable in any subsequent year. The said notes shall bear interest at a rate not exceeding four and one half per cent per annum, payable semi-annually; and the amount required to pay the interest and principal maturing each year shall be raised by taxation, and shall, without further action by the town, be assessed annually by the assessors in the same manner in which other taxes are assessed, until the debt is extinguished.

Duties of town treasurer.

SECTION 2. The treasurer of the town of Stoughton, with the approval of the selectmen, is hereby authorized, without further vote of the town, to incur indebtedness under the provisions of this act and to issue notes of the town therefor.

SECTION 3. This act shall take effect upon its passage.

Approved May 2, 1913.

Chap. 582 AN ACT TO AUTHORIZE THE TOWN OF PROVINCETOWN TO RESTORE CERTAIN CEMETERY TRUST FUNDS.

Be it enacted, etc., as follows:

Town of Provincetown may borrow money to restore cemetery trust funds.

SECTION 1. The town of Provincetown, for the purpose of replacing certain trust funds received for the care of cemetery lots and grounds by said town and subsequently expended by it for general town expenses, is hereby authorized to borrow a sum not exceeding eighteen thousand dollars, and to issue notes of the town therefor. Notes issued under authority of this act shall be payable by such annual payments, beginning not more than one year after the date of each note, as will extinguish the whole loan within fifteen years from the date of the note first issued; and the amount of such annual payment in any year shall not be less than the amount of the principal of said loan payable in any subsequent year. Said notes shall bear interest at a rate not exceeding five per cent per annum, payable semi-annually, and the amount required to pay the interest and principal maturing each year shall be raised by taxation, and shall, without further action by the town, be assessed annually by the assessors in the same manner in which other taxes are assessed, until the debt is extinguished.

Duties of town treasurer.

SECTION 2. The treasurer of the town of Provincetown, with the approval of the selectmen, is hereby authorized, without further vote of the town, to incur indebtedness under

the provisions of this act and to issue notes of the town therefor.

Section 3. This act shall take effect upon its passage.

Approved May 2, 1913.

An Act relative to the park commissioners and the school committee of the city of chelsea. *Chap.* 583

Be it enacted, etc., as follows:

Section 1. Section fifty-seven of Part II of chapter six hundred and eighty of the acts of the year nineteen hundred and eleven is hereby amended by striking out the words "a park commissioner", in the sixteenth line, and inserting in place thereof the words: — a board of park commissioners, consisting of five persons, to be appointed by the mayor and confirmed by the board of aldermen, — so as to read as follows: — *Section 57.* The board of aldermen shall appoint, may remove and shall fix the salary, if any, of all administrative officers of the city, except as is otherwise provided herein. There shall be the following administrative officers, who shall perform the duties by law prescribed for them, respectively, and such further duties, not inconsistent with the nature of their respective offices and with general laws, as the board of aldermen may prescribe: a city clerk; a city treasurer, who may be collector of taxes; a city auditor; a city solicitor; a city messenger; a city physician; a city engineer, who shall be superintendent of streets and sewers, and who shall have the powers of surveyors of highways and all the powers of road commissioners not herein otherwise conferred; a board of assessors, consisting of three persons; five assistant assessors, one from each ward; a water commissioner; a board of park commissioners, consisting of five persons, to be appointed by the mayor and confirmed by the board of aldermen; a board of registrars of voters, consisting of three persons; a board of trustees of the public library, consisting of six persons; a board of trustees of the soldiers' burial lot, consisting of three persons; a board of commissioners of sinking funds, consisting of three persons; a board of overseers of the poor, consisting of three persons; a board of health, consisting of three persons, one of whom shall be a physician; a superintendent of public buildings, who shall be inspector of buildings; a superintendent of fire alarms, who shall be inspector of wires; a clerk of com-

1911, 680, Part II, § 57, amended.

Administrative officers.

mittees; a chief of police; a chief engineer of the fire department.

1911, 680, Part II, § 66, amended.

SECTION 2. Section sixty-six of Part II of said chapter six hundred and eighty is hereby amended by striking out the words "pertaining thereto", in the second line, and inserting in place thereof the words: — used therein, — so as to read as follows: — *Section 66.* The management and control of the public schools of the city and of the property used therein shall be vested in the school committee, consisting of the mayor, ex officio, and ten other members elected in accordance with the provisions of this act.

Management, etc., of public schools.

SECTION 3. This act shall take effect upon its passage.

Approved May 2, 1913.

Chap. 584 AN ACT TO AUTHORIZE THE TOWN OF GROVELAND TO INCUR ADDITIONAL INDEBTEDNESS FOR WATER SUPPLY PURPOSES.

Be it enacted, etc., as follows:

Town of Groveland Water Loan, Act of 1913.

SECTION 1. The town of Groveland may, for the purpose of paying the necessary expenses and liabilities incurred under the provisions of chapter one hundred and eighty-four of the acts of the year nineteen hundred and three, issue from time to time bonds or notes to an amount not exceeding ten thousand dollars in addition to the amounts heretofore authorized by law to be issued by said town for water supply purposes. Bonds or notes issued under authority of this act shall bear on their face the words, Town of Groveland, Water Loan, Act of 1913; shall be payable by such annual payments, beginning not more than one year after the date thereof, as will extinguish each loan within thirty years from its date; and the amount of such annual payment of any loan in any year shall not be less than the amount of the principal of said loan payable in any subsequent year. Each authorized issue of bonds or notes shall constitute a separate loan. Said bonds or notes shall bear interest at a rate not exceeding five per cent per annum, payable semi-annually, and shall be signed by the treasurer of the town and countersigned by a majority of the selectmen. The town may sell such bonds or notes at public or private sale, upon such terms and conditions as it may deem proper, but they shall not be sold for less than their par value, and the proceeds shall be used only for the purposes herein specified.

Payment of loan.

SECTION 2. Said town shall, at the time of authorizing said loan or loans, provide for the payment thereof in accord-

ance with the provisions of section one of this act; and when a vote to that effect has been passed, a sum which, with the income derived from water rates, will be sufficient to pay the annual expense of operating its water works and the interest as it accrues on the bonds or notes issued as aforesaid by the town, and to make such payments on the principal as may be required under the provisions of this act, shall, without further vote, be assessed by the assessors of the town annually thereafter, in the same manner in which other taxes are assessed, until the debt incurred by said loan or loans is extinguished.

Section 3. This act shall take effect upon its passage.

Approved May 2, 1913.

An Act relative to the sale of insecticides. *Chap.* 585

Be it enacted, etc., as follows:

Section 1. Section two of chapter two hundred and thirteen of the Revised Laws, as amended by chapter two hundred and sixty-three of the acts of the year nineteen hundred and twelve, is hereby further amended by adding at the end thereof the words: — Nor shall the provisions of this section apply to sales of compounds containing not more than fifty per cent of sodium fluoride intended solely for the destruction of roaches, ants or other household insects when sold in sealed metal packages containing not less than one fourth of a pound plainly labeled in such a manner as to show the purposes for which the preparation is intended. R. L. 213, § 2, etc., amended. Sale of insecticides, etc.

Section 2. This act shall take effect upon its passage.

Approved May 2, 1913.

An Act relative to the building laws of the city of Boston. *Chap.* 586

Be it enacted, etc., as follows:

Section 1. Section one hundred and twenty-eight of chapter five hundred and fifty of the acts of the year nineteen hundred and seven is hereby amended by inserting after the word "agent", in the fifth and sixth lines, the word: — tenant, — by inserting after the word "board", in the eleventh line, the words: — and the owner, agent, tenant or other persons having charge of said building shall forfeit not more than twenty dollars for every day during which 1907, 550, § 128, amended.

he violates such order, — and by adding at the end of said section the following paragraphs: — No person shall place ashes, rubbish, garbage, refuse or other matter in the yards, open areas or alleys connected with or appurtenant to any such building except in suitable receptacles provided for the same. Every building used for habitation by more than two families and every lodging house shall be carefully inspected at least twice a year under the direction of the board of health, and whenever said board has made an order concerning such a building a reinspection shall be made within ten days after the board has been informed that the order has been complied with, — so as to read as follows: —

Powers of board of health.

Section 128. The board of health may by vote limit the number of occupants who shall be permitted to dwell in any building or in any part or parts thereof. They shall cause a copy of any such vote to be served upon the owner of the building, his agent, tenant or other persons having the charge thereof. If the owner, agent, tenant, or other persons having charge of said building allow or permit more people than are permitted by said vote to occupy the building or any part or parts thereof, said board may order the premises to be vacated, and they shall not again be occupied without the permission of the board, and the owner, agent, tenant or other persons having charge of said building shall forfeit not more than twenty dollars for every day during which he violates such order. The board may make such further regulations as to overcrowding, ventilation, the construction of water-closets, the lighting of hallways, and the occupation of buildings or parts thereof, not inconsistent with other laws, as they may deem proper. Said board may permit rooms in private stables to be occupied for sleeping purposes by grooms and coachmen.

Penalty for overcrowding.

Placing of ashes, etc., in yards, etc., regulated.

No person shall place ashes, rubbish, garbage, refuse or other matter in the yards, open areas or alleys connected with or appurtenant to any such building except in suitable receptacles provided for the same.

Inspection.

Every building used for habitation by more than two families and every lodging house shall be carefully inspected at least twice a year under the direction of the board of health, and whenever said board has made an order concerning such a building a reinspection shall be made within ten days after the board has been informed that the order has been complied with.

Section 2. Section one hundred and thirty-two of said chapter five hundred and fifty is hereby amended by adding at the end of the second paragraph the following: — except as hereinbefore provided, — so that said paragraph as amended will read as follows: — Whoever violates any provision of this act, or whoever builds, alters, or maintains any structure or any part thereof in violation of any provision of this act, shall be punished by a fine not exceeding five hundred dollars, except as hereinbefore provided. 1907, 550, § 132, amended. Penalty.

Section 3. So much of section seventy-five of said chapter five hundred and fifty as is inconsistent herewith is hereby repealed. *Approved May 2, 1913.* Repeal.

An Act to confirm the proceedings of the annual town meeting of the town of Palmer. *Chap.* 587

Be it enacted, etc., as follows:

Section 1. The acts and proceedings of the town of Palmer at its annual town meeting in March, nineteen hundred and thirteen, and the election of town officers thereat, shall not be invalid by reason of any error, omission or irregularity in the service of the warrant for the said meeting, or by reason of any other informality in the calling or conduct of said meeting. Certain acts of the town of Palmer confirmed.

Section 2. All proper acts by officers elected at the said meeting are hereby ratified and confirmed. Acts of town officers confirmed.

Section 3. This act shall take effect upon its passage. *Approved May 2, 1913.*

An Act to authorize the town of Watertown to borrow money for school purposes. *Chap.* 588

Be it enacted, etc., as follows:

Section 1. The town of Watertown, for the purpose of constructing and equipping a new schoolhouse and for purchasing or otherwise acquiring a site and approaches for the same, to be located on the southerly side of Charles river, may issue from time to time bonds or notes to an amount not exceeding in the aggregate one hundred and fifty thousand dollars, and the securities so issued shall not be reckoned in determining the statutory limit of indebtedness of the town. Such bonds or notes shall bear on their face the words, Town of Watertown may borrow money for school purposes.

Watertown School Loan, Act of 1913.

Watertown School Loan, Act of 1913, and shall be payable by such annual payments, beginning not more than one year after the date of each loan, as will extinguish each loan within twenty years from its date; and the amount of such annual payment of any loan in any year shall not be less than the amount of the principal of the loan payable in any subsequent year. Each authorized issue of bonds or notes shall constitute a separate loan. Said bonds or notes shall bear interest at a rate not exceeding four and one half per cent per annum, payable semi-annually; and shall be signed by the treasurer of the town, and countersigned by a majority of the selectmen. The town may sell the said bonds or notes at public or private sale, but they shall not be sold for less than their par value, and the proceeds shall be used only for the purposes specified in this act.

Payment of loan.

SECTION 2. Said town shall, at the time of authorizing said loan or loans, provide for the payment thereof in accordance with the provisions of section one of this act; and when a vote to that effect has been passed, a sum which will be sufficient to pay the interest as it accrues on the bonds or notes issued as aforesaid, and to make such payments on the principal as may be required under the provisions of this act, shall, without further vote, be assessed by the assessors of the town annually thereafter, in the same manner in which other taxes are assessed, until the debt incurred by said loan or loans is extinguished.

SECTION 3. This act shall take effect upon its passage.

Approved May 2, 1913.

Chap. 589 AN ACT TO AUTHORIZE THE CITY OF NEW BEDFORD TO INCUR INDEBTEDNESS FOR THE WIDENING OF PURCHASE STREET IN THAT CITY.

Be it enacted, etc., as follows:

City of New Bedford may incur indebtedness for widening Purchase street.

SECTION 1. The city of New Bedford, for the purpose of paying the expenses of making an alteration in the layout and widening of Purchase street, between Union street and Elm street in that city, may incur indebtedness, beyond the limit fixed by law, to an amount not exceeding four hundred thousand dollars, and may from time to time issue bonds or notes therefor. Each authorized issue of bonds or notes shall constitute a separate loan. Bonds or notes issued under authority of this act shall be payable by such annual

payments, beginning not more than one year after their respective dates, as will extinguish each loan within twenty years from its date; and the amount of such annual payment of any loan in any year shall not be less than the principal of said loan payable in any subsequent year. Said bonds or notes shall bear interest at a rate not exceeding four and one half per cent per annum, payable semi-annually, as the city council shall determine; and shall be signed by the city treasurer and countersigned by the mayor and by such other officers as the charter may require.

Payment of loan.

Section 2. The city shall, at the time of authorizing said loan or loans, provide for the payment thereof in accordance with the provisions of section one of this act; and when a vote to that effect has been passed, a sum sufficient to pay the interest as it accrues on the bonds or notes issued as aforesaid, and to make such payments on the principal as may be required under the provisions of this act, shall, without further vote, be assessed by the assessors of the city annually thereafter, in the same manner in which other taxes are assessed, until the debt incurred by said loan or loans is extinguished.

Time of taking effect.

Section 3. This act shall take effect upon its acceptance by the city council of the city of New Bedford.

Approved May 2, 1913.

An Act to encourage and improve the breeding of poultry. *Chap.* 590

Be it enacted, etc., as follows:

1909, 428, § 1, amended.

Section 1. Section one of chapter four hundred and twenty-eight of the acts of the year nineteen hundred and nine is hereby amended by striking out the word "one", in the first line, and inserting in place thereof the word: — two, — so as to read as follows: — *Section 1.* The sum of two thousand dollars shall be paid annually in the month of August from the treasury of the commonwealth to the board of agriculture, which shall be known as a Poultry Premium Bounty, and shall be used by said board to encourage and improve the breeding of poultry. Said bounty shall be distributed by said board among the poultry associations hereinafter designated, during the month of September of each year, on the basis of the total entry fees received by such associations, respectively, during the year preceding that

Poultry Premium Bounty, distribution, etc.

time, as hereinafter provided, and the sum so distributed shall be used by such associations for the purpose of enabling them to hold annual exhibitions of poultry and for the payment of premiums only. The board may make such rules as it may deem suitable for carrying out the provisions of this act; and any part of said bounty not distributed by the board in any year shall be repaid by it to the treasurer and receiver general.

SECTION 2. This act shall take effect upon its passage.

Approved May 2, 1913.

Chap. 591 AN ACT TO RATIFY CERTAIN ACTS AND BY-LAWS OF THE TOWN OF TOWNSEND.

Be it enacted, etc., as follows:

Certain acts and by-laws of the town of Townsend ratified, etc.

SECTION 1. The acts of the town of Townsend at the annual town meetings held in the years nineteen hundred and eleven, nineteen hundred and twelve and nineteen hundred and thirteen are hereby ratified and confirmed notwithstanding the fact that the by-law passed at the adjourned annual meeting held on April eleventh in the year nineteen hundred and ten, changing the date of the annual town meeting from the first Monday of April to the last Monday of March, was never presented to the attorney-general for his approval, and that the by-law adopted by the town, March twenty-seventh, nineteen hundred and eleven, changing the date of the annual town meeting to the first Monday in March was not presented to the attorney-general until February twenty-first, nineteen hundred and thirteen, too late to be approved and published, as required by law, prior to the annual meeting in nineteen hundred and thirteen. The said by-laws are hereby ratified and confirmed.

SECTION 2. This act shall take effect upon its passage.

Approved May 2, 1913.

Chap. 592 AN ACT RELATIVE TO SIGHT-SEEING AUTOMOBILES IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

Term "sight-seeing automobile" defined.

SECTION 1. The term "sight-seeing automobile", as used in this act, shall mean an automobile as defined in chapter five hundred and thirty-four of the acts of the year nineteen hundred and nine, which is capable of seating eight or more persons and is used or offered for the transportation of passengers for hire.

Section 2. It shall be unlawful for a person or a corporation to set up a sight-seeing automobile in the city of Boston, or to operate such an automobile in a public street in that city as a chauffeur, unless licensed thereto as hereinafter provided. Operation of sight-seeing automobiles regulated.

Section 3. The police commissioner for the city of Boston shall have exclusive authority to license in that city sight-seeing automobiles and the persons operating them as chauffeurs, and to designate places in the public streets which may be occupied as stands by specified sight-seeing automobiles on the days and within the hours authorized by him. Such licenses shall be for a term not exceeding one year, but whenever granted they shall expire annually on the first day of March; and they may be renewed at the discretion of the said commissioner on their expiration, or revoked or suspended by him at any time. The fees for chauffeurs' licenses shall be the same as those established from time to time by the said commissioner for licenses granted by him to drivers of hackney carriages. The fees for licenses of owners of sight-seeing automobiles shall be not less than those established by the said commissioner for licenses granted by him to the owners of hackney carriages and shall not exceed the following sums: — For a car designed to carry not more than twelve passengers, ten dollars; for a car designed to carry more than twelve but not more than eighteen passengers, fifteen dollars; for a car designed to carry more than eighteen but not more than twenty-four passengers, twenty-five dollars; and for a car designed to carry more than twenty-four passengers, fifty dollars. Nothing herein contained shall be deemed to be contrary to the provisions of said chapter five hundred and thirty-four, so far as they relate to the licensing of chauffeurs and the registration of motor vehicles, or to be a release of any obligation or penalty prescribed by said act or by acts supplementary thereto or in amendment thereof. Police commissioner of Boston authorized to grant licenses, etc. Term of licenses. Fees for licenses.

Section 4. In their use of public streets in the city of Boston otherwise than for designated stands, sight-seeing automobiles and persons operating them as chauffeurs shall be subject to all rules applicable to motor vehicles in general which have been made or shall hereafter be made by the board of street commissioners of said city, and to all rules further restricting the use of such public streets by sight-seeing automobiles or regulating their general conduct and To be subject to certain rules, etc.

operation which the said police commissioner, who is hereby authorized thereto, shall from time to time establish.

Penalties.

SECTION 5. Any person who is convicted of setting up or of operating a sight-seeing automobile without the license required by this act, and any person having such license who is convicted of a violation of any of the rules authorized by this act, shall be punished by a fine not exceeding twenty dollars. *Approved May 2, 1913.*

Chap. 593 AN ACT MAKING AN APPROPRIATION FOR THE EXPENSES OF THE REPRESENTATIVES OF THE COMMONWEALTH TO THE SOUTHERN COMMERCIAL CONGRESS.

Be it enacted, etc., as follows:

Appropriation, expenses of representatives to southern commercial congress.

SECTION 1. The sum of twenty-four hundred dollars is hereby appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, for the travelling expenses of two persons to represent the commonwealth at the session of the southern commercial congress, as authorized by chapter seventy-three of the resolves of the present year.

SECTION 2. This act shall take effect upon its passage. *Approved May 2, 1913.*

Chap. 594 AN ACT MAKING AN APPROPRIATION FOR EXTERMINATING DISEASES AMONG HORSES, CATTLE AND OTHER ANIMALS.

Be it enacted, etc., as follows:

Appropriation, extermination of contagious diseases among animals.

SECTION 1. A sum not exceeding one hundred and fifteen thousand dollars is hereby appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, for the extermination of contagious diseases among horses, cattle and other animals for the present year and for previous years.

SECTION 2. This act shall take effect upon its passage. *Approved May 2, 1913.*

Chap. 595 AN ACT FURTHER TO ENLARGE AND DEFINE THE DUTIES OF THE HOMESTEAD COMMISSION.

Be it enacted, etc., as follows:

Duties of homestead commission.

SECTION 1. The homestead commission, created by chapter six hundred and seven of the acts of the year nineteen hundred and eleven, is authorized to continue from

time to time its investigations of defective housing, of the evils resulting therefrom, and of the work being done to remedy the same in Massachusetts and elsewhere; to make studies of the operation of building and tenement house laws; to encourage the creation of local planning boards, and to gather information relating to city and town planning for the use of such boards; and to promote the formation of organizations intended to increase the supply of wholesome homes for the people.

Additional members, appointment, terms, etc.

Section 2. The commission shall be enlarged by the addition of two new members, one of whom shall be an attorney-at-law and one a recognized expert in the planning of cities and towns; and the governor, with the advice and consent of the council, shall, as soon as may be practicable after the passage of this act, appoint the said additional members, one of whom shall serve for a term of two years, and one for a term of one year, and upon the expiration of their terms, their successors shall be appointed in like manner for terms of three years each.

To make annual report, etc.

Section 3. The commission shall make an annual report to the general court, which the secretary of the commonwealth shall cause to be printed as a public document, and the commission may expend annually such sums of money as the general court may appropriate.

Section 4. This act shall take effect upon its passage.

Approved May 2, 1913.

An Act to provide for publication of information relative to voluntary associations owning or controlling public service corporations. *Chap.* 596

Be it enacted, etc., as follows:

Copies of written instruments, etc., filed by voluntary associations owning or controlling public service corporations to be printed as a public document.

Section 1. The commissioner of corporations, within thirty days after the passage of this act, shall transmit copies of all written instruments or declarations of trust and of amendments or additions thereto which have been filed in his office, in compliance with section two of chapter four hundred and forty-one of the acts of the year nineteen hundred and nine, to the secretary of the commonwealth, who shall cause the same to be printed as a public document. The commissioner of corporations shall, in the month of December, nineteen hundred and thirteen, and annually thereafter, transmit to the secretary of the common-

wealth copies of all written instruments or declarations of trust, and any amendments or additions to such declarations theretofore in the custody of the commissioner, which were filed in his office during the year ending on the thirtieth day of November next preceding, in compliance with section two of chapter four hundred and forty-one of the acts of the year nineteen hundred and nine. The secretary shall annually cause such of said instruments, declarations of trust and amendments as have not been previously printed under his direction, together with such reports and information relating to the associations described in section two of said chapter four hundred and forty-one as the board of railroad commissioners or the board of gas and electric light commissioners may transmit to him for the purpose, to be printed as a public document.

SECTION 2. This act shall take effect upon its passage.

Approved May 2, 1913.

Chap. 597 AN ACT RELATIVE TO THE HOLDING OF STOCK OF CERTAIN PUBLIC SERVICE CORPORATIONS.

Be it enacted, etc., as follows:

Certain corporations not to hold, etc., more than ten per cent of the capital stock of certain public service corporations.

SECTION 1. No corporation organized under or subject to the provisions of chapter four hundred and thirty-seven of the acts of the year nineteen hundred and three, except a corporation which by special law of this commonwealth is authorized to hold stock in a public service corporation, shall hereafter purchase or acquire, take or hold, directly or indirectly, more than ten per cent of the total capital stock of a corporation organized under the general or special laws of the commonwealth for the purpose of carrying on within the commonwealth the business of a railroad, street railway, electric railroad, elevated railway, gas or electric light, heat or power company.

SECTION 2. This act shall take effect upon its passage.

Approved May 2, 1913.

Chap. 598 AN ACT TO REQUIRE STREET RAILWAY COMPANIES TO EQUIP THEIR CARS WITH LIFTING JACKS AND OTHER APPARATUS.

Be it enacted, etc., as follows:

Street railway cars to be equipped with lifting jacks, etc.

SECTION 1. All street railway cars operated in this commonwealth, whether used for the carriage of passengers or for other purposes, shall be equipped with an emergency

lifting jack and with such other emergency tools as may be approved by the railroad commissioners.

SECTION 2. Any company, its officers or employees, operating a street railway car in the use of which this act is violated, shall be punished by a fine of not less than fifty nor more than one hundred dollars. Penalty.

SECTION 3. This act shall take effect on the first day of July in the year nineteen hundred and fourteen. Time of taking effect.

Approved May 2, 1913.

AN ACT RELATIVE TO PAYMENTS ON ACCOUNT OF TAXES ON REAL ESTATE. *Chap.* 599

Be it enacted, etc., as follows:

SECTION 1. Section eighty-eight of Part I of chapter four hundred and ninety of the acts of the year nineteen hundred and nine is hereby amended by striking out the word "sold", in the fifth line, and inserting in place thereof the words: — advertised for sale, — so as to read as follows: — *Section 88.* If real estate is divided by sale, mortgage, upon a petition for partition or otherwise after a tax has been assessed thereon and such division has been duly recorded in the registry of deeds, the assessors at any time before said real estate has been advertised for sale for payment of taxes, upon the written request of the owner or mortgagee of any portion thereof, shall apportion said tax and the costs and interest accrued thereon upon the several parcels thereof, in proportion to the value of each, and only the portion of said tax, interest and costs so apportioned upon any such parcel shall continue to be a lien upon it; and the owners or mortgagees shall be liable only for the tax apportioned upon the parcel owned in whole or in part by them respectively. 1909, 490, Part I, § 88, amended. Apportionment of tax on real estate divided after assessment.

SECTION 2. Section nineteen of Part II of said chapter four hundred and ninety is hereby amended by inserting after the word "may", in the fifth line, the words: — within six months after such tax or assessments are due, — so as to read as follows: — *Section 19.* After the delivery of a tax, including assessments for betterments or other purposes but not including a poll tax, to a collector for collection, the owner of the estate or person assessed or a person in behalf of said owner or person may, within six months after such tax or assessments are due, tender to the collector not less 1909, 490, Part II, § 19, amended. Part payment of tax.

than twenty-five per cent of the tax which shall be received, receipted for and applied toward the payment of the tax. If in any court it shall be determined that the tax is more than the amount so paid, judgment shall be entered for such excess and interest upon the amount thereof to the date of the judgment, and on the amount paid to the date of payment, with costs if otherwise recoverable. The part payment authorized by this section shall not affect a right of tender, lien or other provision of law for the recovery of the amount of such tax, or interest or costs thereon, remaining due, but if the part payment is more than the tax, as finally determined, the excess, without interest, shall be repaid to the person who paid it. *Approved May 2, 1913.*

Chap. 600 AN ACT RELATIVE TO THE TIME OF APPOINTMENT OF LOCAL SUPERINTENDENTS FOR THE SUPPRESSION OF GYPSY AND BROWN TAIL MOTHS AND RELATIVE TO THE APPOINTMENT OF FOREST WARDENS.

Be it enacted, etc., as follows:

R. L., 32, § 16, etc., amended.

SECTION 1. Section sixteen of chapter thirty-two of the Revised Laws, as amended by section one of chapter four hundred and seventy-five of the acts of the year nineteen hundred and seven, is hereby further amended by striking out the words "March or April", in the third line, and inserting in place thereof the word: — January, — so as to read as follows: — *Section 16.* The mayor and aldermen in cities and the selectmen in towns shall annually, in January, appoint a forest warden, and they shall forthwith give notice of such appointment to the state forester. The appointment of a forest warden shall not take effect unless approved by the state forester, and when so approved notice of the appointment shall be given by the mayor and aldermen or by the selectmen to the person so appointed and approved. Whoever having been duly appointed fails within seven days after the receipt of such notice to file with the city or town clerk his acceptance or refusal of the office shall, unless excused by the mayor and aldermen or by the selectmen, forfeit ten dollars. Nothing in this act or in any other act shall be construed to prevent the offices of tree warden, selectman, chief of fire department and forest warden from being held by the same person.

Forest wardens, appointment, etc.

May hold certain other offices.

Section 2. Section four of chapter three hundred and eighty-one of the acts of the year nineteen hundred and five, as amended by section two of chapter two hundred and sixty-eight of the acts of the year nineteen hundred and six, and by section one of chapter five hundred and twenty-one of the acts of the year nineteen hundred and seven, and by chapter one hundred and fifty of the acts of the year nineteen hundred and ten, is hereby further amended by striking out the words "March or April", in the third line, and inserting in place thereof the word: — January, — so as to read as follows: — *Section 4.* The mayor and aldermen in cities and the selectmen in towns shall annually in the month of January appoint a local superintendent for the suppression of gypsy and brown tail moths. Said superintendents shall, under the advice and general direction of the state forester, destroy the eggs, caterpillars, pupæ and nests of the gypsy and brown tail moths within their limits, except in parks and other property under the control of the commonwealth, and except in private property, save as otherwise provided herein. The appointment of a local superintendent shall not take effect unless approved by the state forester, and when so approved, notice of the appointment shall be given by the mayor and aldermen or the selectmen to the person so appointed. When any city or town shall have expended within its limits city or town funds to an amount in excess of five thousand dollars in any one fiscal year, in suppressing gypsy or brown tail moths, the commonwealth shall reimburse such city or town to the extent of fifty per cent of such excess above said five thousand dollars.

1905, 381, § 4, etc., amended.

Local superintendents, appointment, duties, etc.

Reimbursement of cities and towns.

Section 3. This act shall take effect on the first day of January, nineteen hundred and fourteen.

Time of taking effect.

Approved May 2, 1913.

An Act relative to the Boston Protective Department. *Chap.* 601

Be it enacted, etc., as follows:

Section 1. The provisions of sections one, four, five and six of chapter sixty-one of the acts of the year eighteen hundred and seventy-four, and of acts in amendment thereof shall extend to and include not only the business of insuring buildings and other property against loss or damage by fire, but also the business of insuring against all other forms

Powers of the Boston Protective Department extended.

of loss or damage by fire, and of insuring against any other form of damage, loss or injury set forth in chapter one hundred and fifty-two of the acts of the year nineteen hundred and twelve or in any act or acts which may hereafter be passed in addition to or in amendment of said chapter sixty-one.

May hold, etc., real and personal estate, etc.

SECTION 2. The Boston Protective Department is hereby authorized to take by purchase, devise or otherwise, and to hold real and personal property for the uses of said corporation, to an amount not exceeding five hundred thousand dollars, and may sell and convey any part thereof in accordance with the laws of this commonwealth.

1874, 61, § 4, amended.

SECTION 3. Said chapter sixty-one, as heretofore amended, is hereby further amended by striking out section four and inserting in place thereof the following: — *Section 4.*

Annual meeting.

In the month of March, eighteen hundred and seventy-four, and in the month of March in every year thereafter, there shall be held a meeting of the corporation hereby created, of which ten days' previous notice shall be inserted in at least two newspapers published in the city of Boston, at which meeting every incorporated insurance company or association insuring the property, and interests therein, in the city of Boston, which this corporation is authorized to protect and save, whether its officers or its agents be members of this corporation or not, shall have the right to be represented by one of such officers or agents, and every organization represented at such meeting shall be entitled to one vote. A majority of the whole number so represented shall have the power to decide upon the question of sustaining the corps hereinbefore mentioned, and of fixing the maximum amount of expenses which shall be incurred therefor during the fiscal year next to ensue; and the whole of such amount, or so much thereof as may be necessary, may be assessed upon the organizations belonging to this corporation, and upon all other organizations and agencies, as hereinbefore mentioned, in proportion to the several amounts of premiums returned as received by each, as hereinafter provided, and such assessment shall be collectible by this corporation in any court of law in the commonwealth.

1874, 61, § 5, amended.

SECTION 4. Said chapter sixty-one, as heretofore amended, is hereby further amended by striking out section five and inserting in place thereof the following: — *Section 5.*

Sworn statements to be furnished by

To provide for the payment of persons employed, and to main-

tain the apparatus for saving life and property contemplated, this corporation is empowered to require a statement to be furnished semi-annually by all corporations, associations, underwriters, agents, or persons, of the aggregate amount of premiums received for insuring the property, and interests therein, in the city of Boston, which this corporation is authorized to protect and save, for and during the six months next preceding the thirtieth day of June and the thirty-first day of December of each year, which statement shall be sworn to by the president or secretary of the corporation or association, or by the agent or person so acting and effecting such insurance in said city, and shall be delivered to the treasurer of this corporation within thirty days after the time at which such returns are to be made. And the said treasurer shall, on or before the fifteenth day of February in each year, forward to the auditor of the commonwealth a written or printed statement under oath of the aggregate amount of premiums included in the returns made to him under the provisions of this section.

corporations, associations, etc.

Section 5. A reciprocal or inter-insurance exchange, lawfully providing indemnity in respect to any property, and any interests therein, in the city of Boston, which the Boston Protective Department is authorized to protect and save, shall be deemed an "association" within the terms of said chapter sixty-one.

Term "association" defined.

Section 6. No company engaged in the kind of business specified in the second clause of section thirty-two of chapter five hundred and seventy-six of the acts of the year nineteen hundred and seven shall be deemed to be an insurance company or association within the meaning of this act or be liable to assessment hereunder. *Approved May 3, 1913.*

Certain companies to be deemed insurance companies, etc.

An Act relative to the salaries of the deputy assistant district attorneys for the Suffolk district. *Chap.* 602

Be it enacted, etc., as follows:

Section 1. Section three of chapter four hundred and thirty-nine of the acts of the year nineteen hundred and ten is hereby amended by striking out the word "eighteen", in the thirteenth line, and inserting in place thereof the word: — twenty-two, — so as to read as follows: — *Section 3.* The district attorney for the Suffolk district may, if in his opinion the interests of the commonwealth so require,

1910, 439, § 3, amended.

Deputy assistant district attorneys, appointment, etc.

with the approval of the chief justice of the superior court, appoint two deputy assistant district attorneys in addition to the assistant district attorneys provided for in section two of this act. Said district attorney may at his pleasure remove any deputy assistant district attorney appointed under the provisions of this section. The amount of the annual salary of every deputy assistant district attorney appointed under the provisions of this section shall be fixed by said district attorney, with the approval of the chief justice of the superior court, but shall not exceed twenty-two hundred dollars for each deputy assistant district attorney, and said salary shall be paid out of the treasury of the commonwealth.

SECTION 2. This act shall take effect upon its passage.

(The foregoing was laid before the governor on the twenty-eighth day of April, 1913, and after five days it had "the force of a law", as prescribed by the Constitution, as it was not returned by him with his objections thereto within that time.)

Chap. 603 AN ACT TO ESTABLISH THE SALARIES OF THE COUNTY COMMISSIONERS OF THE COUNTY OF BARNSTABLE.

Be it enacted, etc., as follows:

Salaries established.

The salaries of the county commissioners of the county of Barnstable shall be five hundred and fifty dollars a year each; and the said salaries shall be in addition to any extra compensation authorized by law.

(The foregoing was laid before the governor on the twenty-eighth day of April, 1913, and after five days it had "the force of a law", as prescribed by the Constitution, as it was not returned by him with his objections thereto within that time.)

Chap. 604 AN ACT TO PROVIDE WHEN AN ACT PROHIBITING THE MISUSE OF THE FLAG OF THE UNITED STATES SHALL TAKE EFFECT.

Be it enacted, etc., as follows:

Time of taking effect.

SECTION 1. Chapter four hundred and sixty-four of the acts of the year nineteen hundred and thirteen, being "An Act to prohibit the misuse of the flag of the United States", shall take effect on the first day of November nineteen hundred and thirteen.

SECTION 2. This act shall take effect upon its passage.

Approved May 6, 1913.

An Act to authorize local moth superintendents to furnish arsenate of lead to real estate owners. *Chap.* 605

Be it enacted, etc., as follows:

Arsenate of lead may be furnished to real estate owners for certain purposes, at cost.

Section 1. For the purpose of assisting in the extermination of gypsy and brown tail moths, the local moth superintendent in any city or town now receiving aid from the commonwealth in suppressing the said insect pests is hereby authorized to furnish, at the cost thereof, arsenate of lead to any owner of real estate situated within the limits of such city or town. Material purchased under the provisions hereof shall be used only for the suppression of gypsy and brown tail moths and only upon land of the purchaser.

Collection of amounts charged.

Section 2. The amounts due for material furnished under the provisions of section one shall be charged by the local moth superintendent to the owners of private estates and shall be collected in the same manner as the amounts assessed for private work, and shall be a lien on said estates in the same manner as the assessments for private work. The amount thus charged shall be deducted from the total amount expended in each city or town in the suppression of the gypsy and brown tail moths in the same manner as the amounts charged for private work, as provided for in sections six and seven of chapter three hundred and eighty-one of the acts of the year nineteen hundred and five and its several amendments. *Approved May 7, 1913.*

An Act to authorize the town of Rockport to make an additional water loan. *Chap.* 606

Be it enacted, etc., as follows:

Rockport Water Loan, Act of 1913.

Section 1. The town of Rockport, for the purposes mentioned in section five of chapter seventy-eight of the acts of the year eighteen hundred and ninety-four, may issue from time to time bonds or notes to be denominated on the face thereof, Rockport Water Loan, Act of 1913, to an amount not exceeding twenty-five thousand dollars, in addition to the amount heretofore authorized by law to be issued by the town for the same purposes. Such bonds or notes shall be payable by such annual payments, beginning not more than one year after the date thereof, as will extinguish each loan within thirty years from its date, and the amount of such annual payment of any loan in any year

shall not be less than the amount of the principal of said loan payable in any subsequent year. Each authorized issue of bonds or notes shall constitute a separate loan. Said bonds or notes shall bear interest at a rate not exceeding five per cent per annum, payable semi-annually, and shall be signed by the treasurer of the town and countersigned by a majority of the selectmen. The town may sell the said securities at public or private sale upon such terms and conditions as it may deem proper, but they shall not be sold for less than their par value, and the proceeds shall be used only for the purposes herein specified.

Payment of loan.

SECTION 2. Said town shall, at the time of authorizing said loan or loans, provide for the payment thereof in accordance with the provisions of section one of this act; and when a vote to that effect has been passed, a sum which with the income derived from water rates, will be sufficient to pay the annual expense of operating its water works and the interest as it accrues on the bonds or notes issued as aforesaid by the town, and to make such payments on the principal as may be required under the provisions of this act, shall, without further vote, be assessed by the assessors of the town annually thereafter, in the same manner in which other taxes are assessed, until the debt incurred by said loan or loans is extinguished.

SECTION 3. This act shall take effect upon its passage.

Approved May 8, 1913.

Chap. 607 AN ACT TO ESTABLISH THE BASIS OF APPORTIONMENT OF STATE AND COUNTY TAXES.

Be it enacted, etc., as follows:

Basis of apportionment of state and county taxes.

SECTION 1. The number of polls, the amount of property and the proportion of every thousand dollars of state tax, including polls at one tenth of a mill each, for each city and town in the several counties of the commonwealth, as contained in the following schedule, are hereby established, and shall constitute a basis for apportionment for state and county taxes until another is made and enacted by the general court, to wit: —

Polls, Property and Apportionment of State and County Tax of $1,000.

BARNSTABLE COUNTY.

Barnstable county.

TOWNS.	Polls.	Property.	Tax of $1,000, including polls at one tenth of a mill each.
Barnstable,	1,254	$8,641,630	$1 69
Bourne,	717	7,797,952	1 48
Brewster,	213	1,728,273	33
Chatham,	518	1,662,541	35
Dennis,	564	1,542,580	34
Eastham,	153	498,796	11
Falmouth,	997	18,122,536	3 38
Harwich,	604	1,579,723	35
Mashpee,	77	257,544	05
Orleans,	341	1,928,752	38
Provincetown,	1,217	2,527,621	58
Sandwich,	392	1,322,902	28
Truro,	179	452,843	10
Wellfleet,	319	1,065,109	22
Yarmouth,	472	3,073,739	60
Totals,	8,017	$52,202,541	$10 24

BERKSHIRE COUNTY.

Berkshire county.

Adams,	2,757	$9,380,415	$1 97
Alford,	82	234,979	05
Becket,	270	739,450	16
Cheshire,	462	1,044,578	23
Clarksburg,	273	327,899	09
Dalton,	1,001	6,149,649	1 21
Egremont,	183	603,875	13
Florida,	95	250,008	05
Great Barrington,	1,895	7,509,558	1 55
Hancock,	140	462,055	10
Hinsdale,	359	748,133	17
Lanesborough,	274	705,056	15
Lee,	1,352	3,467,956	76
Lenox,	1,137	13,263,076	2 51
Monterey,	93	406,332	08
Mount Washington,	25	135,000	03
New Ashford,	26	70,000	02
New Marlborough,	295	1,004,981	21

BERKSHIRE COUNTY — CONCLUDED.

TOWNS.	Polls.	Property.	Tax of $1,000, including polls at one tenth of a mill each.
North Adams,	5,393	$17,263,574	$3 66
Otis,	150	304,817	07
Peru,	64	180,000	04
Pittsfield,	10,651	39,527,023	8 21
Richmond,	151	733,411	15
Sandisfield,	172	420,006	09
Savoy,	132	231,350	06
Sheffield,	476	1,494,314	32
Stockbridge,	513	6,345,753	1 20
Tyringham,	87	555,970	11
Washington,	77	400,000	08
West Stockbridge,	339	624,366	15
Williamstown,	1,038	6,148,676	1 22
Windsor,	116	390,000	08
Totals,	30,078	$121,122,260	$24 91

Bristol county.

BRISTOL COUNTY.

Acushnet,	434	$1,262,208	$0 27
Attleborough,	5,299	20,214,523	4 18
Berkley,	249	521,114	12
Dartmouth,	1,004	6,555,279	1 29
Dighton,	575	1,678,735	36
Easton,	1,440	12,478,259	2 40
Fairhaven,	1,445	4,766,018	1 01
Fall River,	31,181	109,132,446	22 85
Freetown,	419	1,182,912	26
Mansfield,	1,578	5,482,479	1 15
New Bedford,	28,176	118,533,107	24 24
North Attleborough,	2,909	9,989,817	2 10
Norton,	787	1,845,551	41
Raynham,	442	1,134,335	25
Rehoboth,	562	1,087,086	25
Seekonk,	646	1,760,167	38
Somerset,	775	1,881,494	42
Swansea,	574	1,974,585	41
Taunton,	9,623	30,077,165	6 40
Westport,	769	2,784,147	58
Totals,	88,917	$334,341,427	$69 33

COUNTY OF DUKES COUNTY.

Dukes County.

TOWNS.	Polls.	Property.	Tax of $1,000, including polls at one tenth of a mill each.
Chilmark,	110	$384,826	$0 08
Edgartown,	344	1,318,333	27
Gay Head,	56	45,250	01
Gosnold,	57	842,660	16
Oak Bluffs,	293	2,019,587	39
Tisbury,	353	1,906,038	38
West Tisbury,	129	796,167	16
Totals,	1,342	$7,312,861	$1 45

ESSEX COUNTY.

Essex county.

Amesbury,	2,790	$7,376,637	$1 61
Andover,	1,911	11,507,482	2 27
Beverly,	6,133	47,770,689	9 25
Boxford,	201	1,771,282	34
Danvers,	2,722	8,403,548	1 79
Essex,	529	1,495,022	32
Georgetown,	514	1,386,766	30
Gloucester,	7,518	26,903,936	5 62
Groveland,	609	1,341,496	30
Hamilton,	471	6,826,124	1 28
Haverhill,	14,038	39,390,783	8 52
Ipswich,	1,371	6,698,047	1 35
Lawrence,	21,737	82,433,843	17 07
Lynn,	28,467	91,018,727	19 30
Lynnfield,	317	1,332,385	27
Manchester,	862	26,964,445	4 96
Marblehead,	2,131	10,828,050	2 17
Merrimac,	625	1,509,426	34
Methuen,	3,179	11,882,251	2 47
Middleton,	278	1,038,196	22
Nahant,	380	15,433,204	2 83
Newbury,	470	2,326,557	47
Newburyport,	4,211	14,362,382	3 02
North Andover,	1,480	7,676,443	1 54
Peabody,	4,560	14,853,165	3 14
Rockport,	1,390	4,006,118	86
Rowley,	359	1,731,712	35
Salem,	11,712	42,639,274	8 88
Salisbury,	501	1,456,722	31

ESSEX COUNTY — CONCLUDED.

TOWNS.	Polls.	Property.	Tax of $1,000, including polls at one tenth of a mill each.
Saugus,	2,400	$6,710,853	$1 45
Swampscott,	1,748	17,914,082	3 41
Topsfield,	327	3,852,956	73
Wenham,	297	3,467,058	66
West Newbury,	444	1,269,793	27
Totals,	126,682	$525,579,454	$107 67

Franklin county.

FRANKLIN COUNTY.

Ashfield,	286	$839,424	$0 18
Bernardston,	208	639,881	14
Buckland,	479	961,728	22
Charlemont,	309	663,514	15
Colrain,	481	948,211	22
Conway,	327	925,291	20
Deerfield,	725	2,553,864	53
Erving,	350	1,377,972	28
Gill,	226	551,720	12
Greenfield,	3,628	12,385,112	2 60
Hawley,	116	240,264	06
Heath,	119	230,450	05
Leverett,	207	403,947	09
Leyden,	101	242,075	05
Monroe,	88	250,171	05
Montague,	2,044	4,915,026	1 09
New Salem,	176	470,052	10
Northfield,	435	1,852,594	38
Orange,	1,733	5,238,192	1 12
Rowe,	139	239,449	06
Shelburne,	446	1,485,271	31
Shutesbury,	85	320,550	07
Sunderland,	323	949,197	20
Warwick,	110	508,774	10
Wendell,	155	551,704	12
Whately,	284	703,364	16
Totals,	13,580	$40,447,797	$8 65

HAMPDEN COUNTY.

Hampden county.

TOWNS.	Polls.	Property.	Tax of $1,000, including polls at one tenth of a mill each.
Agawam,	1,023	$2,801,471	$0 61
Blandford,	197	736,795	15
Brimfield,	248	980,478	20
Chester,	382	938,479	21
Chicopee,	6,574	19,828,002	4 24
East Longmeadow,	432	1,083,161	24
Granville,	197	676,436	14
Hampden,	171	476,617	10
Holland,	44	140,093	03
Holyoke,	14,615	67,271,411	13 62
Longmeadow,	396	2,848,793	55
Ludlow,	1,168	5,028,898	1 03
Monson,	1,109	2,960,566	65
Montgomery,	68	225,000	05
Palmer,	2,432	6,170,095	1 36
Russell,	284	1,228,571	25
Southwick,	306	934,108	20
Springfield,	26,648	162,230,997	31 99
Tolland,	57	300,000	06
Wales,	111	326,845	07
West Springfield,	2,555	10,010,151	2 06
Westfield,	4,561	12,992,534	2 80
Wilbraham,	549	1,866,726	39
Totals,	64,127	$302,056,227	$61 00

HAMPSHIRE COUNTY.

Hampshire county.

Amherst,	1,395	$5,586,466	$1 15
Belchertown,	562	1,088,761	25
Chesterfield,	163	406,008	09
Cummington,	180	435,918	10
Easthampton,	2,359	8,038,765	1 69
Enfield,	269	902,942	19
Goshen,	76	250,569	05
Granby,	192	760,879	16
Greenwich,	120	309,332	07
Hadley,	690	2,045,018	44
Hatfield,	561	1,922,885	40
Huntington,	425	886,123	20
Middlefield,	95	273,161	06
Northampton,	4,876	18,888,486	3 90
Pelham,	135	439,330	09

HAMPSHIRE COUNTY — CONCLUDED.

TOWNS.	Polls.	Property.	Tax of $1,000, including polls at one tenth of a mill each.
Plainfield,	110	$225,697	$0 05
Prescott,	109	241,380	05
South Hadley,	1,259	3,865,308	82
Southampton,	233	632,782	14
Ware,	2,183	6,699,286	1 43
Westhampton,	119	333,670	07
Williamsburg,	627	1,348,787	31
Worthington,	166	478,678	10
Totals,	16,904	$56,060,231	$11 81

Middlesex county.

MIDDLESEX COUNTY.

Acton,	651	$2,723,503	$0 56
Arlington,	3,215	18,168,452	3 61
Ashby,	271	934,328	20
Ashland,	519	1,547,794	33
Ayer,	915	2,448,355	53
Bedford,	343	2,158,687	42
Belmont,	1,749	10,789,904	2 13
Billerica,	773	3,372,491	69
Boxborough,	103	320,152	07
Burlington,	190	858,963	17
Cambridge,	28,110	129,881,058	26 29
Carlisle,	160	582,469	12
Chelmsford,	1,337	4,909,609	1 02
Concord,	1,688	10,180,674	2 01
Dracut,	880	2,986,107	63
Dunstable,	115	691,959	14
Everett,	9,481	32,751,652	6 87
Framingham,	3,803	18,119,840	3 66
Groton,	675	5,605,926	1 08
Holliston,	800	2,180,359	47
Hopkinton,	732	1,899,912	42
Hudson,	2,011	5,168,355	1 14
Lexington,	1,651	10,232,389	2 01
Lincoln,	330	5,129,643	96
Littleton,	314	1,329,338	27
Lowell,	24,652	94,364,478	19 52
Malden,	12,687	46,389,388	9 65
Marlborough,	4,399	11,239,968	2 47
Maynard,	2,059	4,211,110	97
Medford,	7,186	30,102,933	6 16

MIDDLESEX COUNTY — Concluded.

TOWNS.	Polls.	Property.	Tax of $1,000, including polls at one tenth of a mill each.
Melrose,	4,596	$20,046,268	$4 08
Natick,	3,153	9,687,981	2 07
Newton,	10,945	91,317,225	17 60
North Reading,	322	994,017	21
Pepperell,	1,026	2,562,374	57
Reading,	1,871	7,195,648	1 49
Sherborn,	324	1,929,831	38
Shirley,	572	1,474,355	32
Somerville,	22,821	74,496,160	15 75
Stoneham,	2,289	5,599,552	1 24
Stow,	304	1,154,806	24
Sudbury,	320	1,455,287	30
Tewksbury,	497	1,712,808	36
Townsend,	545	1,555,265	34
Tyngsborough,	238	774,755	16
Wakefield,	3,336	11,759,792	2 46
Waltham,	7,983	33,292,633	6 82
Watertown,	3,819	20,541,610	4 10
Wayland,	658	3,869,142	77
Westford,	705	2,839,940	58
Weston,	609	11,630,253	2 16
Wilmington,	566	1,952,075	41
Winchester,	2,410	18,041,359	3 50
Woburn,	4,360	13,052,791	2 80
Totals,	186,068	$800,215,723	$163 28

NANTUCKET COUNTY. Nantucket county.

Nantucket,	879	$4,508,107	$0 90
Totals,	879	$4,508,107	$0 90

NORFOLK COUNTY. Norfolk county.

Avon,	569	$1,119,847	$0 26
Bellingham,	422	1,060,556	23
Braintree,	2,320	8,622,052	1 79
Brookline,	7,871	158,297,618	29 40
Canton,	1,256	6,757,947	1 35
Cohasset,	736	12,349,998	2 31

NORFOLK COUNTY — CONCLUDED.

TOWNS.	Polls.	Property.	Tax of $1,000, including polls at one tenth of a mill each.
Dedham,	2,504	$15,825,521	$3 11
Dover,	233	7,483,596	1 38
Foxborough,	935	3,041,740	64
Franklin,	1,462	5,211,963	1 09
Holbrook,	741	1,990,337	43
Medfield,	533	2,255,482	46
Medway,	795	1,834,260	41
Millis,	345	1,521,170	31
Milton,	2,056	37,069,363	6 91
Needham,	1,538	8,765,666	1 74
Norfolk,	362	1,111,482	24
Norwood,	2,955	17,105,786	3 39
Plainville,	422	1,041,690	23
Quincy,	10,702	37,250,883	7 80
Randolph,	1,139	3,252,912	70
Sharon,	646	3,412,589	68
Stoughton,	1,979	4,221,432	96
Walpole,	1,543	6,879,017	1 40
Wellesley,	1,542	20,301,167	3 82
Westwood,	331	4,784,886	90
Weymouth,	3,732	10,864,160	2 34
Wrentham,	457	1,516,770	32
Totals,	50,126	$384,949,890	$74 60

Plymouth county.

PLYMOUTH COUNTY.

Abington,	1,759	$4,182,346	$0 93
Bridgewater,	1,558	4,662,202	1 00
Brockton,	17,754	55,715,499	11 85
Carver,	379	2,279,054	45
Duxbury,	519	3,868,049	75
East Bridgewater,	991	2,709,859	59
Halifax,	169	696,397	14
Hanover,	652	2,146,366	45
Hanson,	499	1,703,693	36
Hingham,	1,295	9,546,100	1 86
Hull,	506	8,291,409	1 55
Kingston,	652	1,996,074	43
Lakeville,	310	1,400,404	28
Marion,	449	7,828,045	1 46
Marshfield,	531	2,837,505	57
Mattapoisett,	237	3,078,503	58

PLYMOUTH COUNTY — Concluded.

TOWNS.	Polls.	Property.	Tax of $1,000, including polls at one tenth of a mill each.
Middleborough,	2,473	$5,830,248	$1 30
Norwell,	473	1,411,157	30
Pembroke,	343	1,180,041	25
Plymouth,	3,379	14,165,041	2 90
Plympton,	159	478,264	10
Rochester,	272	1,026,680	21
Rockland,	2,249	5,622,500	1 24
Scituate,	748	5,376,272	1 05
Wareham,	1,397	6,194,630	1 26
West Bridgewater,	693	1,699,638	38
Whitman,	2,303	5,934,716	1 30
Totals,	42,749	$161,860,692	$33 54

SUFFOLK COUNTY.

Suffolk county.

Boston,	202,659	$1,707,930,405	$329 00
Chelsea,	9,913	30,004,278	6 42
Revere,	5,760	20,838,470	4 34
Winthrop,	3,291	17,553,306	3 50
Totals,	221,623	$1,776,326,459	$343 26

WORCESTER COUNTY.

Worcester county.

Ashburnham,	608	$1,424,980	$0 32
Athol,	2,587	7,346,220	1 59
Auburn,	726	1,667,783	37
Barre,	1,041	2,909,509	63
Berlin,	235	811,488	17
Blackstone,	1,476	2,575,781	61
Bolton,	226	734,154	16
Boylston,	217	748,974	16
Brookfield,	573	1,542,359	34
Charlton,	625	1,635,547	36
Clinton,	3,350	10,778,410	2 28
Dana,	198	517,094	11
Douglas,	606	1,850,048	40
Dudley,	1,003	2,600,532	57
Fitchburg,	10,649	38,548,008	8 03
Gardner,	4,340	12,733,517	2 74

WORCESTER COUNTY — CONCLUDED.

TOWNS.	Polls.	Property.	Tax of $1,000, including polls at one tenth of a mill each.
Grafton,	1,241	$3,645,782	$0 78
Hardwick,	859	4,669,955	93
Harvard,	333	2,309,766	45
Holden,	661	2,367,787	49
Hopedale,	751	12,096,016	2 26
Hubbardston,	310	909,522	20
Lancaster,	587	17,670,485	3 25
Leicester,	884	3,188,929	66
Leominster,	5,018	16,020,565	3 40
Lunenburg,	396	1,546,339	32
Mendon,	267	795,112	17
Milford,	3,941	10,346,585	2 26
Millbury,	1,229	3,784,826	81
New Braintree,	128	510,517	11
North Brookfield,	824	2,346,583	51
Northborough,	515	1,893,511	39
Northbridge,	2,745	8,111,041	1 74
Oakham,	160	451,900	10
Oxford,	927	2,849,783	61
Paxton,	109	475,102	10
Petersham,	210	1,388,397	27
Phillipston,	107	357,436	08
Princeton,	258	2,551,436	49
Royalston,	203	848,364	17
Rutland,	388	973,161	21
Shrewsbury,	618	3,079,936	62
Southborough,	557	4,878,717	94
Southbridge,	3,635	8,150,812	1 84
Spencer,	1,888	4,306,765	97
Sterling,	415	1,523,606	32
Sturbridge,	460	1,145,701	25
Sutton,	619	1,670,955	36
Templeton,	1,127	2,189,867	51
Upton,	564	1,494,218	33
Uxbridge,	1,221	4,163,539	87
Warren,	1,187	2,426,939	56
Webster,	3,065	12,173,699	2 51
West Boylston,	328	1,169,707	24
West Brookfield,	386	1,090,545	24
Westborough,	1,192	3,961,408	84
Westminster,	395	1,188,885	25
Winchendon,	1,764	4,792,549	1 04
Worcester,	43,445	181,014,249	37 07
Totals,	114,377	$430,955,401	$89 36

RECAPITULATION.

Recapitulation.

COUNTIES.	Polls.	Property.	Tax of $1,000, including polls at one tenth of a mill each.
Barnstable,	8,017	$52,202,541	$10 24
Berkshire,	30,078	121,122,260	24 91
Bristol,	88,917	334,341,427	69 33
Dukes,	1,342	7,312,861	1 45
Essex,	126,682	525,579,454	107 67
Franklin,	13,580	40,447,797	8 65
Hampden,	64,127	302,056,227	61 00
Hampshire,	16,904	56,060,231	11 81
Middlesex,	186,068	800,215,723	163 28
Nantucket,	879	4,508,107	90
Norfolk,	50,126	384,949,890	74 60
Plymouth,	42,749	161,860,692	33 54
Suffolk,	221,623	1,776,326,459	343 26
Worcester,	114,377	430,955,401	89 36
Totals,	965,469	$4,997,939,070	$1,000 00

SECTION 2. This act shall take effect upon its passage.

Approved May 8, 1913.

AN ACT RELATIVE TO ELECTIONS IN THE CITY OF HOLYOKE. *Chap.* 608

Be it enacted, etc., as follows:

SECTION 1. No primary election or caucus for municipal offices shall be held hereafter in the city of Holyoke, and the laws relative to primary elections and caucuses for the said offices shall not apply to that city.

Municipal primaries, etc., not to be held in city of Holyoke, etc.

SECTION 2. No ballot used at any annual or special municipal election in the said city shall have printed thereon any party or political designation or mark, and there shall not be appended to the name of any candidate any such party or political designation or mark, or anything showing how he was nominated or indicating his views or opinions.

Party or political designations, etc., not to be printed on ballots.

SECTION 3. Any male registered voter in the said city may be nominated for any municipal elective office, and his name as such candidate shall be printed on the official ballot to be used at the municipal election: *provided*, that at or before five o'clock in the afternoon of the third Tuesday prior to the election, nomination papers prepared and issued by the city clerk and signed by at least one hundred

Any male registered voter may be a candidate.

Proviso.

and fifty registered voters of the city qualified to vote for such candidate at said election, shall be submitted to the board of registrars, and the signatures on the same to the number required to make a nomination are subsequently certified by the registrars as hereinafter provided, except that the number of signatures necessary to nominate a candidate for alderman by wards and for school committee by wards shall be fifty. Nomination papers shall be in substantially the following form: —

Form of nomination papers.

COMMONWEALTH OF MASSACHUSETTS.

CITY OF HOLYOKE,

Nomination Paper.

The undersigned, registered voters of the city of Holyoke, qualified to vote for a candidate for the office named below, in accordance with law, make the following nomination to be voted for at the election to be held in the city of Holyoke on Tuesday, December , 19 .

NAME OF CANDIDATE. (Give first or middle name in full.)	OFFICE FOR WHICH NOMINATED.	RESIDENCE. (Street and number, if any.)

(Signatures and Residences of Nominators.)

We certify that we have not subscribed to more nominations of candidates for this office than there are persons to be elected thereto. In case of the death, withdrawal or incapacity of the above nominee, after written acceptance filed with the board of registrars, we authorize (names of a committee of not less than five of the signers of this paper) to fill the vacancy in the manner prescribed by law.

SIGNATURES OF NOMINATORS. (To be made in person.)	RESIDENCE APRIL 1.	WARD.	PREC.	PRESENT RESIDENCE.

Acceptance of Nomination.

I accept the above nomination.

(Signature of Nominee.)

Commonwealth of Massachusetts.

Hampden, ss. Holyoke, , 19 .

Then personally appeared who, I am satisfied, is one of the signers of the within nomination paper, and made oath that the statements therein contained are true to the best of his knowledge and belief, and that his post office address is

Before me,
Justice of the Peace.

Filling of vacancies.

Section 4. If a candidate nominated as aforesaid dies before the day of election, or withdraws his name from nomination, or is found to be ineligible, the vacancy may be filled by a committee of not less than five persons, who shall be signers of the nomination papers, or a majority thereof, if such committee be named and so authorized in the nomination papers. Nomination papers shall not include candidates for more than one office. Every voter may sign as many nomination papers for each office to be filled as there are persons to be elected thereto and no more.

Signing of nomination papers.

Certification by registrars.

Section 5. After the said nomination papers have been filed, the board of registrars of voters shall certify thereon the number of signatures which are the names of registered voters in the city qualified to sign the same. They need not certify a greater number of names than is required to make a nomination, with one fifth of such number added thereto. All such papers found not to contain a number of names so certified equivalent to the number required to make a nomination shall be invalid. The board of registrars of voters shall complete their certification on or before five o'clock in the afternoon on the second Tuesday preceding the city election. The certification shall not preclude any voter from filing objections as to the validity of the nomination.

Provisions of existing laws governing nominations and elections in Holyoke to continue so far as applicable, etc.

Section 6. All laws, not inconsistent with the provisions of this act, governing nomination papers and nominations for, and elections of municipal officers in the city of Holyoke, shall, so far as they may be applicable, govern the nomination papers, nominations and elections provided for by this act. The board of registrars of voters shall be subject to the same penalties and shall have the same powers and duties, where not inconsistent with the provisions of this act, in relation to nomination papers.

This act to apply to special municipal elections.

SECTION 7. The provisions of this act shall apply to any special municipal election held after the year nineteen hundred and thirteen in the city of Holyoke, except that nomination papers for offices to be filled at such elections shall be issued by the city clerk on and after the day following the calling of such special election.

Women may be candidates for school committee, etc.

SECTION 8. Women who are qualified to vote for a member of the school committee may be nominated as, and sign nomination papers for, candidates for that office in the manner and under the same provisions of law as men.

Ward or city committees not to favor or oppose, etc., candidacy of any nominee.

SECTION 9. In the city of Holyoke it shall be illegal for a city or ward committee of any political party to indorse, favor or oppose the candidacy of any nominee for municipal office.

Act to be submitted to voters for acceptance.

SECTION 10. This act shall be submitted to the registered voters of the city of Holyoke at the next annual state election in the following form: — Shall an act passed by the general court in the year nineteen hundred and thirteen, entitled "An Act relative to elections in the city of Holyoke" be accepted? and this act shall take effect if accepted by a majority of the voters voting thereon.

Approved May 8, 1913.

Chap. 609 AN ACT TO AUTHORIZE THE CITY OF NEW BEDFORD TO INCUR INDEBTEDNESS FOR WIDENING UNION STREET IN THAT CITY.

Be it enacted, etc., as follows:

City of New Bedford may incur indebtedness for widening Union street.

SECTION 1. The city of New Bedford, for the purpose of paying the expenses of making an alteration in the layout and widening of Union street, between Fourth street and Sixth street in that city, may incur indebtedness, beyond the limit fixed by law, to an amount not exceeding one hundred and forty thousand dollars, and may from time to time issue bonds or notes therefor. Each authorized issue of bonds or notes shall constitute a separate loan. Bonds or notes issued under authority of this act shall be payable by such annual payments, beginning not more than one year after their respective dates, as will extinguish each loan within twenty years from its date; and the amount of such annual payment of any loan in any year shall not be less than the principal of said loan payable in any subsequent year. Said bonds or notes shall bear interest at a

rate not exceeding four and one half per cent per annum, payable semi-annually, as the city council shall determine; shall be signed by the city treasurer and countersigned by the mayor and by such other officers as the charter may require.

Payment of loan.

Section 2. The city shall, at the time of authorizing said loan or loans, provide for the payment thereof in accordance with the provisions of section one of this act; and when a vote to that effect has been passed, a sum sufficient to pay the interest as it accrues on the bonds or notes issued as aforesaid, and to make such payments on the principal as may be required under the provisions of this act, shall, without further vote, be assessed by the assessors of the city annually thereafter, in the same manner in which other taxes are assessed, until the debt incurred by said loan or loans is extinguished.

Time of taking effect.

Section 3. This act shall take effect upon its acceptance by the city council of the city of New Bedford.

Approved May 8, 1913.

An Act to divide the inspection department of the district police into two departments and to define their respective duties. *Chap.* 610

Be it enacted, etc., as follows:

Inspection department of district police divided into two departments.

Section 1. The inspection department of the district police force shall be divided into two departments which shall be designated, respectively, as the building inspection department of the district police and the boiler inspection department of the district police.

Building inspection department, membership.

The building inspection department of the district police shall consist of the present deputy chief of the inspection department of said force, who shall be designated officially as deputy chief of the building inspection department of the district police, and the eighteen inspectors of buildings provided for by section twelve of chapter seven hundred and twenty-six of the acts of the year nineteen hundred and twelve, to be designated officially as building inspectors of the building inspection department of the district police.

Boiler inspection department, membership.

The boiler inspection department of the district police shall consist of a deputy chief, who shall be designated officially as deputy chief of the boiler inspection department of the district police, and twenty-four of the present boiler inspectors of

the inspection department of the district police, to be designated officially as boiler inspectors of the boiler inspection department of the district police. Upon the passage of this act, the governor shall appoint one of the present boiler inspectors of the inspection department of the district police as deputy chief of the boiler inspection department of the district police, who shall receive the same salary now provided for the deputy chiefs of the district police. All future vacancies in either of the two departments established by this act shall be filled by the governor, subject to existing laws governing the appointment of the chief, deputy chiefs and members of the detective and inspection departments of the district police, by appointment to the department in which the vacancy occurs.

Vacancies.

Powers and duties of members of building inspection department.

SECTION 2. The duties and powers of the deputy chief and inspectors of the building inspection department of the district police shall be to enforce the laws relating to the erection, alteration, repair and inspection of buildings provided for by sections one to eighteen, inclusive, twenty-one to twenty-six, inclusive, twenty-seven and twenty-eight (except as otherwise provided for therein), twenty-nine to thirty-seven, inclusive, and forty-eight to fifty-six, inclusive, of chapter one hundred and four of the Revised Laws; sections one to six, inclusive, and eight to sixteen, inclusive, of chapter four hundred and fifty of the acts of the year nineteen hundred and four; chapter three hundred and forty-seven of the acts of the year nineteen hundred and five; chapter one hundred and five of the acts of the year nineteen hundred and six; chapters three hundred and thirty-five and four hundred and eighty-seven of the acts of the year nineteen hundred and eight; chapter three hundred and fifty-four, section twenty-six of chapter five hundred and four and sections ninety-seven to ninety-nine, inclusive, and one hundred and five of chapter five hundred and fourteen of the acts of the year nineteen hundred and nine; chapter one hundred and forty-three of the acts of the year nineteen hundred and ten; chapter three hundred and sixty-seven of the acts of the year nineteen hundred and eleven; and all acts and parts of acts in amendment thereof and in addition thereto. They shall also enforce the laws relating to the inspection and use of the cinematograph or similar apparatus, as provided by chapters five hundred and sixty-five and five hundred and sixty-

six of the acts of the year nineteen hundred and eight; chapter two hundred and eighty-one of the acts of the year nineteen hundred and nine; chapter four hundred and forty of the acts of the year nineteen hundred and eleven; and chapter one hundred and eighty-two of the acts of the year nineteen hundred and twelve; and all acts and parts of acts in amendment thereof and in addition thereto. Wherever in such laws, amendments or additions, the words "deputy chief of the inspection department" occur, they shall be taken to mean deputy chief of the building inspection department of the district police; wherever the words "member" or "members of the inspection department of the district police" occur, they shall be taken to mean member or members of the building inspection department of the district police; wherever the words "inspector" or "inspectors of factories and public buildings", "inspector" or "inspectors of public buildings" occur, they shall be taken to mean building inspector or inspectors of the building inspection department of the district police.

Certain inspectors to continue as members until appointment of state board of labor and industries.

Section 3. Until the appointment and qualification of the members of the state board of labor and industries, established by chapter seven hundred and twenty-six of the acts of the year nineteen hundred and twelve, and until said chapter takes full effect, the factory inspectors of the district police shall continue to be members of the building inspection department of the district police and shall perform the same duties and receive the same salaries and be entitled to the same rights and privileges as now provided by law.

Duties and powers of members of boiler inspection department.

Section 4. The duties and powers of the deputy chief and inspectors of the boiler inspection department of the district police shall be to enforce the laws relating to the inspection of steam boilers, the examination of engineers and firemen, and the examination of operators of hoisting machinery when the motive power is mechanical and other than steam, as provided by sections seventy-eight to eighty-six, inclusive, of chapter one hundred and two of the Revised Laws; chapter four hundred and sixty-five of the acts of the year nineteen hundred and seven; and chapter six hundred and fifty-six of the acts of the year nineteen hundred and eleven; and all acts and parts of acts in amendment thereof and in addition thereto. Wherever in such laws, amendments or additions, the words "chief inspector", "chief inspector of boilers", "chief of the boiler inspection

department of the district police", "chief inspector of boilers of the boiler inspection department of the district police", "chief inspector of the boiler inspection department of the district police" or "chief inspector of the boiler inspection department", occur, they shall be taken to mean the deputy chief of the boiler inspection department of the district police. Wherever the words "member" or "members of the boiler inspection department" occur, they shall be taken to mean member or members of the boiler inspection department of the district police. Wherever the words "state inspector of boilers", "state boiler inspector", "inspector" or "inspectors of the boiler inspection department", "inspector" or "inspectors of the boiler inspection department of the district police" occur, they shall be taken to mean boiler inspector or inspectors of the boiler inspection department of the district police.

Clerical force, appointment, salaries, etc.

SECTION 5. The clerical force of the two departments shall consist of the present five stenographers in the inspection department of the district police, two of whom shall be assigned to duty in the building inspection department of the district police, and three of whom shall be assigned to duty in the boiler inspection department of the district police. Of said three stenographers one shall continue to act as secretary to the board of boiler rules. There shall also be six stenographers assigned for duty in the branch offices of the district police. To complete the foregoing detail, the chief of the district police shall appoint two stenographers for service in the branch offices of the district police, in addition to the present four stenographers so employed, at an annual salary of six hundred dollars each, increasing by yearly increments of fifty dollars until it reaches the sum of seven hundred and fifty dollars: *provided, however*, that such increase is approved from year to year by the chief of the district police for the efficiency and merit of said stenographers, or of either of them. Appointments to fill vacancies in the position of stenographer in either of the said departments of the district police, or in the branch offices of the district police, shall be made by the chief of the district police.

Proviso.

Repeal.

SECTION 6. All acts and parts of acts inconsistent herewith are hereby repealed.

Time of taking effect.

SECTION 7. This act shall take effect on the first day of June, nineteen hundred and thirteen, except that so

much of this act as provides for the appointment of the deputy chief of the boiler inspection department of the district police shall take effect upon its passage.

Approved May 8, 1913.

An Act relative to the fees of sheriffs, deputy sheriffs and constables for the service of civil process. *Chap.* 611

Be it enacted, etc., as follows:

Section 1. The fees of sheriffs, deputy sheriffs, and constables for the service of civil process shall be as follows: — Fees of sheriffs, etc.

For the service of an original summons or scire facias, either by reading it or by leaving a copy thereof, one dollar for each defendant upon whom service is made. — for service of writs, etc.

For the service of a libel for divorce, including copy, five dollars.

For the service of a capias, of an attachment with summons or of a trustee process, one dollar for each service upon each defendant or trustee.

For each copy of a supreme judicial, superior, probate or land court writ, precept or process, one dollar.

For each copy of a municipal, police, district court or trial justice writ, precept or process, fifty cents.

If the officer by the direction of the plaintiff or his attorney makes a special service of a writ or precept, either by attaching personal property or arresting the body, he shall be entitled to one dollar for each defendant upon whom the writ is so served, and four dollars additional for custody of the body arrested, and at the same rate for each day during which he has such custody. If the officer employs an assistant in the arrest of the body, he shall be entitled to two dollars a day for such assistant.

For the custody of personal property attached, replevied or taken on execution, not more than two dollars for each day of not more than eight hours for the keeper while he is in charge, and not more than one dollar a day for the officer for a period not longer than ten days; but the officer may be allowed a greater compensation for himself or for his keeper, or compensation for a longer period, by the written consent of the plaintiff and the defendant whose property has been attached, replevied or taken on execution, or by order of the court upon a hearing. He shall also be entitled — for custody of personal property, etc.

to expenses for packing, labor, teaming, storage and taking and preparing a schedule of property attached, replevied or taken on execution, if he certifies that such expenses were necessary and are reasonable.

Fees for attachment of real estate, etc.

For an attachment on mesne process of land or of any leasehold estate, one dollar for each defendant against whom an attachment is made, five cents a mile each way for travel from the place of service to the registry, with his fee for the copy deposited in the registry of deeds or land court, together with the recording fees actually paid.

For a special attachment of real estate, one dollar additional for each person against whom an attachment is made.

— for service of writ of replevin, etc.

For the service of a writ of replevin: for seizure of property, one dollar for each defendant; securing and swearing appraisers, two dollars, and the actual amount paid to appraisers, as hereinafter provided; examining and approving sureties, one dollar; delivery of property replevied, one dollar; for each service, one dollar; for each copy at the rate hereinbefore provided for copies of writs, precepts or other processes.

— for a levy on real estate, etc.

For a levy on real estate: for preparing and serving notice of sale, including copy and travel, three dollars for each debtor.

For preparing and posting notices of sale, six dollars.

For necessary expenses of advertising.

For the sale of land or of any leasehold estate, five dollars.

For preparing and executing and acknowledging deed, five dollars.

For travel, five cents a mile each way from the place where he receives the execution to the office of the register of deeds, and his fee for the copy.

— for sale of personal property on mesne process, etc.

For a sale of personal property on mesne process or on execution: for service of a copy of notice to appoint appraisers, one dollar for each person upon whom service is made.

For necessary expenses of taking and preparing a schedule of property proposed to be sold.

For attendance upon and swearing appraisers, two dollars.

For the amount actually paid to appraisers as hereinafter provided.

For preparing and posting notice of a proposed sale, one dollar.

For necessary expenses of keeper, labor and advertising.

For custody of property, one dollar a day.

For a fair and reasonable amount for services as auctioneer, or for the services of an auctioneer in selling property.

If the sale is made on execution, poundage may be charged as hereinafter provided.

The fair compensation for the services of an appraiser shall not be more than three dollars for each day's service, but the officer may be allowed a greater compensation for the appraisers by an order of the court.

For an adjournment of a sale of real or personal property, two dollars for each adjournment.

Fees for taking bail, etc.

For taking bail and furnishing and writing the bail bond, one dollar, which shall be paid by the defendant, and taxed in his bill of costs, if he prevails.

— for serving executions.

For serving an execution in a personal action by copy and demand on debtor or on trustee, one dollar and travel, if the execution is not collected in whole or in part; for serving an execution in a personal action, and collecting damages or costs on an execution, warrant of distress or other like process, for an amount not exceeding one hundred dollars, four cents for every dollar; all above one hundred dollars, and not exceeding five hundred dollars, two cents for every dollar; and all above five hundred dollars, one cent for every dollar; but such percentage shall be allowed only upon the amount actually collected. A levy of the execution upon his body shall be considered and treated, so far as the fees of the officer are material, a full satisfaction of the execution if the debtor has recognized with surety or sureties as required by law.

— for serving writ of seisin, etc.

For serving a writ of seisin or possession in a real action, five dollars for each parcel.

— for serving execution upon judgment, etc.

For serving an execution upon a judgment for partition, or for assignment of dower or courtesy, one dollar a day.

— for serving writ of capias.

For serving a writ of capias in a civil proceeding, five dollars.

— for serving writ of habeas corpus.

For serving a writ of habeas corpus, five dollars, together with the fee for service and copy.

— for serving a venire.

For serving a venire or notice to jurors for attendance upon any court, civil or criminal, fifty cents for each person upon whom the service is made.

— for summoning witnesses.

For summoning witnesses, fifty cents for each person upon whom service is made, and twenty-five cents for each copy served, together with the fee paid to the witness.

Fees for dispersing warrants, etc. — for travel.

For dispersing treasurer's warrants and proclamations of all kinds, eight cents each, without allowance for travel.

For travel in the service of original writs, executions, warrants, summonses, subpœnas, notices and like processes, five cents a mile each way, to be computed from the place of service to the court or place of return; and if the same precept or process is served upon more than one person, the travel shall be computed from the most remote place of service, with such further travel as was necessary in serving it; if the distance from the place of service to the place of return exceeds twenty and does not exceed fifty miles, five cents a mile one way only shall be allowed for all travel exceeding twenty miles, and, if it exceeds fifty miles, only one cent a mile one way shall be allowed for all travel exceeding that distance.

For travel in the service of venires and notices to jurors, five cents a mile for the distance actually travelled.

Processes returned by mail, etc.

SECTION 2. If the person who delivers or forwards a process to an officer for service requests him to return it by mail or express, compensation shall not be allowed for more than twenty miles' travel in the service, unless the officer actually and necessarily travels more than that distance in serving the same, exclusive of travel from the place of service to the place of return, and an officer in such case, who properly directs such process to the place of return and sends it by mail, postage prepaid, or delivers it to an express company, shall not be liable for damages if it fails to reach its destination.

Use of horse and carriage, etc.

SECTION 3. If it is necessary in the service of civil process for an officer to use a horse and carriage, motor vehicle or other conveyance for a distance exceeding two miles one way, he may be allowed therefor fifteen cents a mile for the distance travelled one way, not exceeding thirty miles, and if he uses the horse and carriage, motor vehicle or other conveyance of another person he shall be allowed the amount actually expended by him therefor; but no allowance for the actual amount expended by him for the use of a horse and carriage, motor vehicle or other conveyance of another shall be made unless the officer certifies that it was necessary for him to use a horse and carriage, motor vehicle or other conveyance, and that he actually used it for the distance, and paid therefor the amount stated in his certificate.

Section 4. Writs, precepts or other processes against a city, town, county, corporation, body corporate, joint stock association, religious society, proprietors of lands, wharves or other real estate held in common, executor, administrator, guardian, receiver, trustee, or assignee shall be served by copy or by copy and summons. Service of writs, etc., against certain corporations.

Section 5. Where the officer is by law directed to leave a copy, or to give a copy of any writ, precept or other process, he may charge for each copy at the rate hereinbefore prescribed, except as is otherwise provided by section ten of this act. Fee for leaving copy of writ, etc.

Section 6. A deputy sheriff shall be allowed five dollars a day for attendance upon a meeting of the county commissioners by their order, and five cents a mile for travel out and home once a week during the attendance, to be paid by the county. —of deputy sheriff for attendance upon county commissioners.

Section 7. Sheriffs and other officers shall be paid by the commonwealth, for serving precepts for the election of representatives in congress, fifty cents each, and for the service of subpœnas issued by order of the general court or either branch thereof the same fees as are allowed for the service of subpœnas issued by a court. Fees for serving precepts for elections, etc.

Section 8. For the service of citations or notices in poor debtor proceedings, the same fees as are allowed for the service of writs. — for service in poor debtor proceedings.

For the commitment of a defendant or debtor arrested in poor debtor proceedings or on mesne process or execution, one dollar for each commitment, and one dollar for each copy left with the jailer.

For each day's attendance at court, or before a magistrate on the examination of a defendant or debtor in his custody, or in the service of a writ of habeas corpus, including the fee for custody, five dollars.

For necessary expense of a horse and carriage, motor vehicle or other conveyance to and from the jail in the service of a writ, precept or process.

Section 9. For the service of an attested copy of a precept in proceedings to establish a lien, one dollar for posting a copy on each parcel of land, and the same fees for service and copy as are allowed for the service of writs. — for service in proceedings to establish a lien.

Section 10. For copies of any writ, precept or process of more than one page, at the rate of fifty cents a page. — for copies of writs, etc.

Fees for service of process issued by land court.

SECTION 11. For the service of any precept or process issued by the land court, one dollar for posting a copy on each parcel of land, and the same fees for copy, service and travel as are hereinbefore provided for the service of writs.

— for service of execution of ejectment, etc.

SECTION 12. For service of an execution of ejectment: for demand, one dollar; for delivery, one dollar; for all necessary expenses, including packing, teaming and labor; and the officer may be allowed additional compensation by an order of the court from which the execution issued.

List of fees to be posted.

SECTION 13. Every sheriff, deputy sheriff or constable, who keeps a public office, shall always keep posted in a conspicuous and convenient place in his office a printed or written list of the fees prescribed in this chapter, so far as they relate to him.

Penalty for failure to make written return of fees, upon request.

SECTION 14. An officer receiving fees for any official duty or service who, upon request of the person paying them, refuses or neglects to make out in writing in his return a particular account of such fees, specifying for what they respectively accrued, shall forfeit to such person three times the amount so paid.

Certificate required before fee is allowed.

SECTION 15. No fees for the service of any writ, precept or process of which the officer is required to make a return shall be allowed, unless itemized and indorsed on the writ, precept or process; and no allowance for the use of a horse and carriage, motor vehicle or other conveyance in the service of a civil process shall be made, unless the officer certifies that it was necessary for him to use a horse and carriage, motor vehicle or other conveyance and that he actually used such conveyance for the distance set forth in his certificate. An officer who makes a false certificate under the provisions of this section, or of section one of this act, shall forfeit thirty dollars for each offence, to the use of the commonwealth; but a suit therefor shall be commenced within two years after the offence was committed.

Penalty for making false certificate.

SECTION 16. The fees for any official duty or service shall, except as is otherwise provided, be at the rate prescribed in this chapter for like services.

Fees for making search for person, etc., named in writ, etc.

SECTION 17. An officer shall not be allowed any fees for making a diligent search for any person, firm, corporation or association named in a writ, precept or process, except the amount actually expended by him in making such search and stated in his return.

Repeal.

SECTION 18. Section sixty of chapter one hundred and sixty-seven, section ten of chapter two hundred and four,

and section twelve of chapter one hundred and ninety-seven of the Revised Laws, so far as the said sections relate to fees for the service of civil process are hereby repealed; section seventy-six of chapter one hundred and sixty-eight, section six of chapter one hundred and seventy-eight; section eleven, and section twelve as amended by chapter one hundred and eighty-four of the acts of the year nineteen hundred and twelve, and sections fifteen, thirty-seven and thirty-eight of chapter two hundred and four of the Revised Laws; chapter three hundred and thirty-six of the acts of the year nineteen hundred and five; and all acts and parts of acts inconsistent herewith are hereby repealed.

SECTION 19. This act shall take effect upon its passage.

Approved May 8, 1913.

AN ACT TO INCREASE THE PROBATION SERVICE OF THE MUNICIPAL COURT OF THE CITY OF BOSTON. *Chap.* 612

Be it enacted, etc., as follows:

Appointment of assistant probation officers of municipal court of Boston.

SECTION 1. The chief justice of the municipal court of the city of Boston, subject to the approval of the associate justices of said court, may appoint such male and female assistant probation officers as the justices of said court shall determine to be necessary for said court.

1908, 440, § 1, amended.

SECTION 2. Section one of chapter four hundred and forty of the acts of the year nineteen hundred and eight is hereby amended by inserting after the words "Revised Laws", in the seventh line, the words: — and for such other work in connection with its probation service as the justices of said court shall determine, — so as to read as follows: —

Municipal court of the city of Boston, clerical assistance.

Section 1. The municipal court of the city of Boston may employ such clerical assistance as it may deem necessary for the keeping, indexing and consolidation of the records required to be kept in said court under the provisions of section forty of chapter two hundred and twelve and section eighty-four of chapter two hundred and seventeen of the Revised Laws, and for such other work in connection with its probation service as the justices of said court shall determine. The compensation for such service, which shall be fixed by the court, shall be paid by the county of Suffolk, upon vouchers approved by the court.

SECTION 3. This act shall take effect upon its passage.

Approved May 8, 1913.

Chap. 613 AN ACT TO AUTHORIZE INSURANCE COMPANIES TO PENSION EMPLOYEES.

Be it enacted, etc., as follows:

1907, 576, § 27, amended.

SECTION 1. Section twenty-seven of chapter five hundred and seventy-six of the acts of the year nineteen hundred and seven is hereby amended by adding at the end thereof the following: — except as is otherwise provided herein. Any such company, when authorized so to do by a vote in each case of not less than two thirds of the whole number of its directors, which vote shall be recorded in the minutes of the board, may grant a pension to any employee who has been continuously in the service of the company for a period of ten years and who has become incapacitated for further service by reason of physical or mental disability resulting from sickness or injury, and may grant a pension to any employee retiring by reason of the infirmities of age who has been continuously in the service of the company for not less than fifteen years. No such pension shall exceed one half the former yearly salary or wages of the employee, nor shall it exceed one thousand dollars in any one year, and any such pension shall be discontinued when any such pensioner substantially recovers his earning capacity.

Certain insurance companies may pension employees.

Any such company, with the approval in writing of the insurance commissioner, may also establish an employees' savings fund or contributory pension system for the benefit of its aged or disabled employees, to which fund or system the employees shall contribute an amount not less than the amount contributed by the company; and such a fund or system shall so be established by any such company which pays pensions to the amount of ten thousand dollars or more in any one year.

SECTION 2. This act shall take effect upon its passage.

Approved May 8, 1913.

Chap. 614 AN ACT RELATIVE TO THE CONSTRUCTION OF TENEMENT HOUSES IN TOWNS.

Be it enacted, etc., as follows:

1912, 635, Part IV, § 54, amended.

SECTION 1. Section fifty-four of Part IV of chapter six hundred and thirty-five of the acts of the year nineteen hundred and twelve is hereby amended by striking out the word "hereinafter", in the last line of clause (2) and in-

serting in place thereof the word: — hereinbefore, — so that the said clause will read as follows: — (2) All shafts shall be fireproof throughout; with fireproof self-closing doors at all openings, at each story; and, if they extend to the cellar, shall also be enclosed in the cellar with fireproof walls and fireproof self-closing doors at all openings. In no case shall any shaft be constructed of materials in which any inflammable material or substance enters into any of the component parts. But nothing in this section contained shall be so construed as to require such enclosures about elevators or dumb-waiters in the wellhole of stairs where the stairs themselves are enclosed in brick or stone walls, and are entirely constructed of fireproof materials as hereinbefore provided. Shafts.

SECTION 2. This act shall take effect upon its passage.

Approved May 8, 1913.

AN ACT RELATIVE TO APPROPRIATIONS FOR THE SUPPORT OF PUBLIC SCHOOLS, FOR NEW SCHOOL BUILDINGS AND FOR REPAIRS AND ALTERATIONS OF SCHOOL BUILDINGS IN THE CITY OF BOSTON. *Chap.* 615

Be it enacted, etc., as follows:

SECTION 1. Section one of chapter four hundred of the acts of the year eighteen hundred and ninety-eight, as amended by section one of chapter four hundred and forty-eight of the acts of the year nineteen hundred and one, by section one of chapter one hundred and seventy of the acts of the year nineteen hundred and three, by section one of chapter two hundred and five of the acts of the year nineteen hundred and six, by section one of chapter three hundred and eighty-eight of the acts of the year nineteen hundred and nine, and by section one of chapter seven hundred and eight of the acts of the year nineteen hundred and eleven, is hereby further amended by striking out the said section and inserting in place thereof the following: — *Section 1.* The school committee of the city of Boston, in each year, by vote of four fifths of all its members, taken by yeas and nays, may make an appropriation in one sum for constructing and furnishing new school buildings, including the taking of land therefor, and for school yards, and the preparing of school yards for use, and may also make an appropriation in one sum for repairs and alterations of school build- 1898, 400, § 1, etc., amended. Appropriation for school purposes by school committee of Boston.

ings, and may make such other appropriations by items for the support of the public schools as it deems necessary. The total amount thus to be appropriated for the public schools of the city and their support, in addition to the money which may be given therefor, the income collected, the balance of appropriations of preceding years, and the money which may be authorized by acts of the general court passed prior to the year nineteen hundred and thirteen and not repealed, shall not exceed the following sums for the periods specified, to wit: — for the financial year ending on the thirty-first day of January, nineteen hundred and fourteen, three dollars and ninety-five cents, for the financial year ending on the thirty-first day of January, nineteen hundred and fifteen, and for each financial year thereafter, four dollars and five cents upon each one thousand dollars of the valuation on which the appropriations of the city council are based; and the amounts which may so be raised shall be appropriated by the school committee as aforesaid, and shall be a part of and be met by taxes within the tax limit; and of said amounts not more than thirty cents upon every such one thousand dollars shall be appropriated solely for new school buildings, lands, yards and furnishings as aforesaid, and not more than thirty-five cents upon every such one thousand dollars shall be appropriated solely for repairs and alterations of school buildings: *provided, however,* that if of said amounts less than thirty cents upon every such one thousand dollars shall be appropriated solely for new school buildings, lands, yards and furnishings as aforesaid, the balance remaining of such appropriation for new school buildings, lands, yards and furnishings shall be certified by the school committee to the mayor and shall be added to the amount upon each one thousand dollars of the valuation on which the appropriations of the city council are based and may be appropriated for other than school purposes.

Proviso.

SECTION 2. This act shall take effect upon its passage.

Approved May 8, 1913.

Chap. 616 AN ACT TO PROVIDE FOR A COURT OFFICER FOR THE COURT OF PROBATE AND INSOLVENCY IN THE COUNTY OF PLYMOUTH.

Be it enacted, etc., as follows:

Court officer for probate court,

The judge of probate and insolvency for the county of Plymouth may appoint an officer to attend sessions of the

probate court and court of insolvency, and may at any time, for a cause which he deems sufficient, remove him, and may fill any vacancy caused by removal or otherwise. The said officer shall give a bond, if required by the judge of the court, for the faithful performance of his duties to the county of Plymouth, with sureties satisfactory to the judge. The said court officer may serve the orders, precepts and processes issued by said courts or by the judge thereof. He shall be paid by the county of Plymouth a salary of three hundred dollars per year, which shall include travelling and other expenses, and which shall be payable in monthly instalments. *Approved May 8, 1913.*

Plymouth county, appointment, etc.

An Act relative to the control and regulation of fraternal benefit societies. *Chap.* 617

Be it enacted, etc., as follows:

Section 1. Section six of chapter six hundred and twenty-eight of the acts of the year nineteen hundred and eleven is hereby amended by striking out the word "of", in the fourth line, and inserting in place thereof the word: — or, — by striking out the word "of", in the fifth line, and by striking out the whole of the second paragraph beginning with the word "If", and ending with the word "therein", and inserting in place thereof the following: — If a benefit certificate has been lawfully issued and the beneficiary therein named and the husband, wife, betrothed, child, child by legal adoption, parent, parent by legal adoption, or persons dependent upon the member named in the benefit certificate have all died, the member, with the consent of the officers of the corporation and under such rules as they may prescribe, may have any other person substituted as beneficiary therein, — so as to read as follows: — *Section 6.* Death benefits shall be payable only to the wife, husband, relative by blood, father-in-law, mother-in-law, son-in-law, daughter-in-law, stepfather, stepmother, stepchildren, betrothed, children or parents by legal adoption, or to a person or persons dependent upon the member: *provided*, that if after the issuance of the original certificate the member, his wife or minor children, shall become dependent upon an incorporated charitable institution or upon a home situated within this commonwealth and incorporated under the laws thereof and maintained and supported by any secret fraternity or order for the care and maintenance of its aged, infirm, in-

1911, 628, § 6, amended.

Death benefits, to whom payable, etc.

Proviso.

digent or unfortunate members, or for the care and support of a wife or widow of such a member, or for the care, support and education of minor children of such members or of deceased members, he shall have the privilege, with the consent of the society, of making such institution or home his beneficiary to the full amount becoming due or payable under said certificate, or to the extent of the amount disbursed for the benefit of said member, his wife, widow or child, by such charitable institution or home at the rate of average cost of maintenance or care thereof during the period such member, his wife, widow or children shall be so cared for, together with any sums expended by such institution or home for assessments, dues, tax or other payments by reason of such benefit certificate and, subject to the limitation of this section, another person as beneficiary of the remainder. Within the above restrictions each member shall have the right to designate his beneficiary, and, from time to time, have the same changed in accordance with the laws, rules or regulations of the society; and no beneficiary shall have or obtain any vested interest in the said benefit until the same has become due and payable upon the death of the said member; *provided*, that any society may, by its laws, limit the scope of beneficiaries within the above classes. If a benefit certificate has been lawfully issued and the beneficiary therein named and the husband, wife, betrothed, child, child by legal adoption, parent, parent by legal adoption, or persons dependent upon the member named in the benefit certificate have all died, the member, with the consent of the officers of the corporation and under such rules as they may prescribe, may have any other person substituted as beneficiary therein. No contract under this act, except where an incorporated charitable institution or home is made beneficiary as aforesaid, shall be valid which shall be conditioned upon an agreement or understanding that the person to whom the death benefit is made payable shall pay the periodical or other contributions of the member.

Proviso.

1911, 628, § 12, amended.

SECTION 2. Clause *b*, of section twelve of said chapter six hundred and twenty-eight is hereby amended by inserting after the word "employees", in the third line, the words: — or ex-employees, — so that said clause will read as follows: — *b*. In case the corporation limits its membership to the members of a particular fraternal beneficiary corporation, fraternity or religious denomination, or to the

Agreement of association to state amount of benefits to be paid, etc.

employees or ex-employees of cities or towns or of the commonwealth or the federal government, or to the employees of a designated firm, business house or corporation, or of any department of a designated firm, business house or corporation, to persons of the same foreign extraction retaining common national interests and designation, or of the same occupation, the agreement of association shall state the maximum amount of the benefits to be paid, and designate to which one of the classes herein specified its membership is to be limited. A corporation so limiting its membership may be on the lodge system, and if not, shall be governed by a direct vote of its members without the lodge system; but a corporation not so limiting its membership shall be on the lodge system, with a representative form of government as defined in sections two and three of this act.

1911, 628, § 22, amended.

Section 3. Subsection *b* of section twenty-two of said chapter six hundred and twenty-eight is hereby amended by striking out the words "except as provided in section twenty-three", in the fiftieth and fifty-first lines.

1911, 628, § 23, repealed.

Section 4. Section twenty-three of said chapter six hundred and twenty-eight is hereby repealed.

1911, 628, § 29, amended.

Section 5. The first paragraph of division *b* of section twenty-nine of said chapter six hundred and twenty-eight is hereby amended by inserting after the word "twelve", in the fourth line, the words: — or which limits its membership to the members and ex-members of any social organization having a lodge system and secret form of work, — so that the first paragraph of division *b* of section twenty-nine will read as follows: — A domestic fraternal beneficiary society, as defined in section one of this act, whether incorporated or unincorporated, which limits its membership as provided in division *b* of section twelve; or which limits its membership to the members and ex-members of any social organization having a lodge system and secret form of work, or a secret order or fraternity, which order or fraternity operates on the lodge system with a representative form of government and grants insurance benefits as incidental only to the work of the order or fraternity; or a purely charitable association or corporation existing on the twenty-third day of May, nineteen hundred and one, any one of which pays a death or funeral benefit limited to not more than two hundred dollars, disability benefits not exceeding ten dollars per week, or any or all of such benefits, and which

Regulations concerning societies which are conducted for other than business purposes, etc.

is not conducted as a business enterprise or for a profit, and a subordinate lodge of a secret fraternity or order as defined in this section which is not conducted as a business enterprise or for profit and which pays death benefits to families or dependents of deceased members as fixed by its by-laws, but not more than two hundred dollars if the lodge membership is two hundred or less, and if over two hundred not in excess of the amount of an assessment of one dollar upon each member thereof in good standing at the time of the death of the member, and a society which confines its membership to members of organizations as defined in section eighteen of chapter one hundred and six of the Revised Laws, and which embraces therein only persons of the same occupation, may transact business in this commonwealth without conforming to the provisions of this act or other acts relating to insurance companies, except division *b* of this section; but section twenty and division *f* of section twelve also shall be applicable to such societies, if they are incorporated.

SECTION 6. This act shall take effect upon its passage.

Approved May 8, 1913.

Chap. 618 AN ACT RELATIVE TO THE MASSACHUSETTS COLLEGE OF PHARMACY.

Be it enacted, etc., as follows:

1852, 93, § 1, etc., amended.

SECTION 1. Section one of chapter ninety-three of the acts of the year eighteen hundred and fifty-two, as amended by chapter twenty-five of the acts of the year eighteen hundred and seventy-six, is hereby further amended by striking out the words "by public lectures", in the eleventh and twelfth lines, and by striking out the word "twenty", in the thirteenth line, and inserting in place thereof the words: — six hundred, — so as to read as follows: — *Section 1.*

Massachusetts College of Pharmacy incorporated.

Thomas Farrington, Joseph Burnett, George S. Jones, and all such persons as are now members of an association known as the "Massachusetts College of Pharmacy", or shall hereafter become members of the same, are hereby constituted a corporation and body politic in law and in fact, by the name of the "Massachusetts College of Pharmacy", for the purpose of cultivating, improving, and making known the principles of pharmacy, its collateral branches of science, and the best modes of preparing medicines and their compounds, and of giving instruction in the same; and may hold

real and personal estate to an amount not exceeding six hundred thousand dollars.

1852, 93, etc., amended.

Section 2. The said chapter ninety-three of the acts of the year eighteen hundred and fifty-two, as amended by chapter twenty-five of the acts of the year eighteen hundred and seventy-six, by chapter fifteen of the acts of the year eighteen hundred and eighty-one, and by chapter seventy-seven of the acts of the year eighteen hundred and eighty-eight, is hereby further amended by striking out all after section one of the said act and inserting in place thereof the following sections: — *Section 2.* The said college may establish by-laws and rules for its government and regulation, and for the preservation and application of the funds thereof, not repugnant to the constitution and laws of the United States or of the commonwealth of Massachusetts, and shall have power to erect buildings for its use, and to constitute a faculty or learned body to consist of such head or heads, and such number of professors in chemistry, pharmacy, materia medica and the collateral sciences, as it may judge necessary, and, whenever it shall see fit, to remove them or any of them, and to appoint others in their stead; and to do all acts necessary or proper for the establishment and maintenance of said college and faculty. *Section 3.* There shall be a board of trustees of fifteen members, chosen from the members of the college corporation and elected as follows: At each annual meeting, there shall be elected by ballot three trustees, each to serve for the term of five years, or until his successor is chosen; and any vacancy occurring in the board of trustees shall be filled at the next meeting of the college, or at a special meeting duly called for the purpose. The board of trustees shall convene each year within the ten days following the annual meeting of said college, and shall elect by ballot, from their number, as officers of the college, a president, two vice presidents, a secretary, a treasurer and an auditor, whose respective duties may be assigned by the by-laws, and who shall hold their offices until their successors are chosen. The president and secretary shall be, respectively, chairman and secretary of the board of trustees. The said board shall appoint such administrative officers, teachers, and other employees as are necessary for the conduct of the college, and may make such rules and regulations and do such other things for the support and government of the college as they may deem proper,

Powers and duties.

Board of trustees, election, etc.

Election of officers, etc.

and shall perform such duties as are, or may be, from time to time committed to them by said college; but their acts shall be submitted to the college for revision at each stated meeting of the college. Trustees and other officers holding office when this act takes effect shall continue to hold their respective offices during the period for which they were elected, and until their successors are duly chosen in accordance with this act.

Trustees of funds, election, etc.

Section 4. There shall be five trustees of funds elected as follows: — At each annual meeting there shall be elected by ballot from the members of the college one trustee of funds to serve for the term of five years, and until his successor is chosen. Any vacancy occurring among the trustees of funds shall be filled at the next stated meeting of the college or at a special meeting called for the purpose. The trustees of funds, under the direction of the board of trustees, shall have the care and investment of all the trust and other permanent funds of the college.

Board of trustees may confer degrees.

Section 5. The board of trustees shall have power to confer degrees in pharmacy upon those persons who shall have satisfied the requirements for graduation adopted by the board and approved by the college.

College may issue stock, bonds, etc.

Section 6. The college shall have the right to issue scrip stock, execute bonds, mortgages, and conveyances, and to sell and convey its property, whether personal or real estate, books, productions of nature or art, by instruments under the seal of the college and signed by its president, and in any way to dispose of its possessions so as to promote pharmaceutical education and the mutual advancement of its members and the elevation of the art and business of the apothecary and pharmacist in the community.

In case of failure to hold annual election, officers to continue in office, etc.

Section 7. If the annual election of officers of the college, members of the board of trustees or trustees of funds shall not be held for any cause on the day fixed therefor, the said corporation shall not thereby be dissolved, but the officers and trustees shall continue in office until a new election.

Annual meeting.

Section 8. The annual meeting of the corporation shall be held on the first Monday in June, but the corporation may by by-law change the date of its annual meeting.

To be subject to provisions of general laws.

Section 9. The corporation hereby created shall have all the powers and privileges, and be subject to all the duties, restrictions and liabilities contained in all general laws now or hereafter in force relating to such corporations, except as may otherwise be provided herein.

SECTION 3. This act shall take effect upon its passage.

Approved May 8, 1913.

An Act to regulate the days of employment in certain manufacturing and mercantile establishments. *Chap.* 619

Be it enacted, etc., as follows:

Days of employment in manufacturing and mercantile establishments regulated.

Section 1. Every employer of labor, whether a person, partnership or corporation, engaged in carrying on any manufacturing or mercantile establishment in this commonwealth as hereinafter defined, shall allow every person, except those specified in section two, employed in such manufacturing or mercantile establishment at least twenty-four consecutive hours of rest in every seven consecutive days. No employer shall operate any such manufacturing or mercantile establishment on Sunday, unless he shall have complied with the provisions of section three; but this act shall not authorize any work on Sunday not now authorized by law.

To whom this act shall not apply.

Section 2. This act shall not apply to (*a*) janitors; (*b*) watchmen; (*c*) employees whose duties include no work on Sunday other than (1) setting sponges in bakeries; (2) caring for live animals; (3) maintaining fires; (4) caring for machinery; (5) employees engaged in the preparation, printing, publication, sale or delivery of newspapers; (6) any labor called for by an emergency that could not reasonably have been anticipated.

List of employees allowed to work on Sunday to be posted, etc.

Section 3. Before operating on Sunday, every employer shall post in a conspicuous place on the premises a schedule containing a list of his employees who are required or allowed to work on Sunday and designating the day of rest for each, and shall file a copy of such schedule with the state board of labor and industries. The employer shall promptly file with the said board a copy of every change in such schedule. No employee shall be required or allowed to work on the day of rest so designated for him.

Employer to keep time book.

Section 4. Every employer to whose employees the provisions of this act apply shall keep a time book showing the names and addresses of all employees and the hours worked by each of them in each day, and such time book shall be open to inspection by the state board of labor and industries.

Terms defined.

Section 5. In this act "manufacturing establishments" and "mercantile establishments" shall have the meaning defined in section seventeen of chapter five hundred and fourteen of the acts of the year nineteen hundred and nine, except that neither of said terms shall be held to include establishments used for the manufacture or distribution of

gas, electricity, milk or water, hotels, restaurants, drug stores, livery stables or garages.

Penalty.

SECTION 6. An employer who violates any provision of this act shall be punished by a fine of fifty dollars for each offence.

Repeal.

SECTION 7. All acts and parts of acts inconsistent herewith are hereby repealed, but this act shall not be construed as repealing chapter four hundred and twenty of the acts of the year nineteen hundred and nine, or any part thereof.

Time of taking effect.

SECTION 8. This act shall take effect on the first day of October, nineteen hundred and thirteen.

Approved May 8, 1913.

Chap. 620 AN ACT RELATIVE TO THE PENALTIES FOR DRUNKENNESS.

Be it enacted, etc., as follows:

R. L. 212, § 39, amended.

Penalties for drunkenness.

Chapter two hundred and twelve of the Revised Laws is hereby amended by striking out section thirty-nine and inserting in place thereof the following: — *Section 39.* If a male is convicted of drunkenness by the voluntary use of intoxicating liquor, he may be punished by imprisonment in jail or in any place provided by law for common drunkards for not more than one year, or by imprisonment in the Massachusetts reformatory for not more than one year, or by a fine not exceeding fifteen dollars. If a female is so convicted she may be punished by imprisonment in jail or in any place provided by law for common drunkards for not more than one year, or in the reformatory for women for not more than one year, or by a fine not exceeding fifteen dollars. In any case of such conviction, the court may in its discretion place the case on file or place the defendant on probation and prescribe the terms thereof.

Approved May 8, 1913.

Chap. 621 AN ACT RELATIVE TO THE RECONSTRUCTION OF THE POINT INDEPENDENCE BRIDGE AT ONSET IN THE TOWN OF WAREHAM.

Be it enacted, etc., as follows:

County of Plymouth may issue notes for reconstruction of certain bridge.

SECTION 1. The county commissioners of the county of Plymouth are hereby authorized to issue notes of the county for a sum not exceeding ten thousand dollars, to be paid in annual instalments not exceeding two thousand dollars in any one year, until the whole sum is paid, for the purpose

of aiding in the reconstruction of the Point Independence bridge at Onset in the town of Wareham in said county.

Section 2. This act shall take effect upon its passage.

Approved May 8, 1913.

An Act relative to the publication of the manual of health laws. *Chap.* 622

Be it enacted, etc., as follows:

Section one of chapter two hundred and thirty of the acts of the year nineteen hundred and two is hereby amended by striking out the words "five hundred", in the sixteenth line, and inserting in place thereof the words: — one thousand, — so as to read as follows: — *Section 1.* The state board of health is hereby authorized to publish for general distribution such parts of its annual report and such other matter as it may deem adapted to promote the interests of the public health in this commonwealth: *provided,* that the expense of such publication is paid out of the appropriation for the general expenses of the board and does not exceed in any one year the sum of five hundred dollars. The board is also authorized to publish not oftener than once in three years, beginning with the year nineteen hundred and two, a manual of the laws relating to boards of health in this commonwealth, together with such other information upon the same subject as the board may deem expedient, the same to be distributed among the local boards of health throughout the commonwealth. The cost of such publications shall not exceed one thousand dollars for each edition and shall be paid out of the appropriation for general expenses of the board.

1902, 230, § 1, amended.

The state board of health may publish certain information.

Proviso.

May publish manual of laws relating to boards of health.

Approved May 8, 1913.

An Act relative to the use of electric meters. *Chap.* 623

Be it enacted, etc., as follows:

Meters for measuring electricity for lighting purposes supplied to consumers shall register the quantity of electricity passing through them in kilowatt hours, so that the number of kilowatt hours consumed can easily be ascertained by the consumer. No charge shall be made by any person, partnership or corporation furnishing electricity for lighting purposes for the use of a meter during any portion of twelve consecutive months, if the consumer during that time uses electricity to the value of nine dollars.

Charge for use of electric meters regulated.

Approved May 8, 1913.

*Chap.*624 AN ACT TO AUTHORIZE THE PROSECUTION OF WRITS OF ENTRY AGAINST THE COMMONWEALTH.

Be it enacted, etc., as follows:

Prosecution of writs of entry.

SECTION 1. A writ of entry may be prosecuted against the commonwealth in the manner provided by chapter one hundred and seventy-nine of the Revised Laws and the amendments thereof.

SECTION 2. This act shall take effect upon its passage.

Approved May 8, 1913.

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*Chap.*625 AN ACT RELATIVE TO THE CANCELLATION OF POLICIES BY FIRE INSURANCE COMPANIES.

Be it enacted, etc., as follows:

Fire insurance companies may cancel certain policies.

SECTION 1. An insurance company issuing fire insurance policies on property in this commonwealth under the standard form required by law may cancel any such policy in the manner provided by law without tendering to the assured a ratable proportion of the premium, if the premium has not been paid to the company or its agent or to a duly licensed insurance broker through whom the contract of insurance was negotiated.

Condition to be printed on margin of policy.

SECTION 2. There shall be printed on the margin of the policy near the part thereof that relates to cancellation, in type not smaller than long primer, or attached to such policy by rider in the form permitted by law the following: — If the premium on this policy has not been paid to the company or its agent or to the duly licensed insurance broker through whom the contract of insurance was negotiated, this policy may be cancelled by the company in the manner herein provided without tendering to the assured any part of the premium.

Time of taking effect.

SECTION 3. This act shall take effect on the first day of January, nineteen hundred and fourteen.

Approved May 8, 1913.

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*Chap.*626 AN ACT TO PROHIBIT THE POISONING AND SNARING OF WILD ANIMALS AND TO REGULATE THE USE OF TRAPS.

Be it enacted, etc., as follows:

Poisoning or snaring of wild animals prohibited.

SECTION 1. Whoever shall place or distribute poison in any form whatsoever, for the purpose of killing any animal,

or shall construct, erect, set, repair or tend any wire snare for the purpose of catching or killing any animal, shall be punished by a fine of not exceeding one hundred dollars: *provided*, that nothing in this section shall be construed to prohibit any person from placing in or near his house, barns or fields poison intended to destroy rats, woodchucks or other pests of a like nature or insects of any kind. Proviso.

Section 2. Any person who shall set, place, maintain or tend a steel trap with a spread of more than six inches or a steel trap with teeth jaws, or a "stop-thief" or choke trap with an opening of more than six inches shall be punished by a fine of not exceeding one hundred dollars. Setting of steel traps regulated.

Section 3. Any person who shall set, maintain or tend a steel trap on enclosed land of another without the consent in writing of the owner thereof, and any person who shall fail to visit at least once in twenty-four hours a trap set or maintained by him shall be punished by a fine of not exceeding twenty dollars. *Approved May 8, 1913.* Penalties.

An Act to authorize the town of Framingham to incur indebtedness for park purposes. *Chap.* 627

Be it enacted, etc., as follows:

Section 1. The town of Framingham, for the purpose of acquiring land for a public park in said town, is hereby authorized to borrow money from time to time beyond its statutory limit of indebtedness to an amount not exceeding fifty thousand dollars, and to issue notes or bonds therefor. Such notes or bonds shall bear on their face the words, Town of Framingham Park Loan, Act of 1913, and shall be payable by such annual payments, beginning not more than one year after the date of each loan, as will extinguish each loan within thirty years from its date; and the amount of such annual payment of any loan in any year shall not be less than the amount of the principal of such loan payable in any subsequent year. Each authorized issue of notes or bonds shall constitute a separate loan. Said notes or bonds shall bear interest at a rate not exceeding four and one half per cent per annum, payable semi-annually, and shall be signed by the treasurer and countersigned by a majority of the selectmen of the town. The town may sell such notes or bonds at public or private sale upon such terms and conditions as the treasurer may deem expedient, but they shall Town of Framingham Park Loan, Act of 1913.

not be sold for less than their par value; and the proceeds thereof shall be used only for the purposes specified in this act.

Payment of loan.

SECTION 2. The town shall, at the time of authorizing said loan or loans, provide for the payment thereof in accordance with the provisions of section one of this act, and when a vote to that effect has been passed, a sum which will be sufficient to pay the interest as it accrues on the notes or bonds issued as aforesaid by the town and to make such payments on the principal as may be required under the provisions of this act, shall, without further vote, be assessed by the assessors of the town annually thereafter, in the same manner in which other taxes are assessed, until the debt incurred by said loan or loans is extinguished.

SECTION 3. This act shall take effect upon its passage.

Approved May 8, 1913.

Chap. 628 AN ACT TO PROVIDE THAT PUBLIC SCHOOL TEACHERS SHALL NOT BE RESTRICTED IN THE EXERCISE OF CERTAIN POLITICAL RIGHTS.

Be it enacted, etc., as follows:

Public school teachers not to be restricted in exercise of certain political rights.

SECTION 1. No school committee shall by rule, regulation or in any other manner restrict any teacher in, or dismiss him for, exercising his right of suffrage, the signing of nomination papers, and the petitioning or appearing before committees of the legislature; but nothing herein contained shall be construed as limiting the power of a school committee so to restrain any teacher or dismiss him for exercising any of the aforesaid rights, suffrage excepted, on school premises, during school hours or when the exercise thereof actually interferes with the performance of school duties.

SECTION 2. This act shall take effect upon its passage.

Approved May 8, 1913.

Chap. 629 AN ACT RELATIVE TO THE CONSTRUCTION AND INSPECTION OF TANKS CONTAINING COMPRESSED AIR FOR USE IN OPERATING PNEUMATIC MACHINERY.

Be it enacted, etc., as follows:

Installation of compressed air tanks regulated.

SECTION 1. No person shall install or use, or cause to be installed or used, any tank or other receptacle exceeding eighteen inches in diameter for the keeping or storage of

compressed air at any pressure exceeding fifty pounds per square inch, for use in operating pneumatic machinery, unless the owner or user thereof shall hold a certificate of inspection issued by the boiler inspection department of the district police, certifying that the said tank or other receptacle has been duly inspected within two years, or unless the owner or user shall hold a policy of insurance upon the said tank or other receptacle issued by an insurance company operating under the laws of this commonwealth, together with a certificate of inspection from an insurance inspector.

Regulations.

Section 2. The board of boiler rules shall prescribe regulations for the size, shape, construction, operation, maximum pressure, gauges, safety device and other appurtenances necessary for the safe operation of all tanks or other receptacles used for the storage of compressed air, excepting those exempted in section seven of this act.

Inspection, to be made biennially.

Section 3. The boiler inspection department of the district police shall inspect all of the said tanks or other receptacles exceeding eighteen inches in diameter and in excess of fifty pounds pressure per square inch at least once every two years: *provided, however,* that the said department shall not be required to inspect such tanks or other receptacles as may be covered by a policy of insurance and inspected by insurance inspectors.

Proviso.

Owner to notify chief of district police of location.

Section 4. All owners of any of the said tanks or other receptacles exceeding eighteen inches in diameter and in excess of fifty pounds pressure per square inch shall notify the chief of the district police of the location of the same.

Insurance companies to send report of inspection to chief of district police.

Section 5. Every insurance company authorized to insure air tanks within this commonwealth shall forward to the chief of the district police, within fourteen days after each internal and external inspection of an air tank or other such receptacle a report of such inspection. The reports shall be made on blanks furnished by the chief of the district police, and shall contain all orders and regulations made by the company regarding the air tanks or other receptacles so inspected.

Inspection.

Section 6. The inspection shall consist of a hammer test, and also a hydrostatic test, the pressure of which shall be one and one half times the pressure allowed on the air tank or other receptacle inspected. The air tank or other receptacle shall be prepared for inspection by the owner or user thereof.

Provisions of act not to apply to certain tanks, etc.

SECTION 7. The provisions of this act shall not apply to tanks or other receptacles used for the keeping or storage of compressed air when attached to locomotives, street or railway cars, vessels or motor vehicles.

Fee for inspection.

SECTION 8. The sum of three dollars shall be paid to the boiler inspection department of the district police by the owner or user of any such tank or other receptacle for every inspection thereof by the said department herein provided for.

Penalty.

SECTION 9. Whoever violates any provision of this act, or any regulation made under authority hereof, shall be punished by a fine not exceeding fifty dollars, or by imprisonment for not more than thirty days, or by both such fine and imprisonment.

Time of taking effect.

SECTION 10. This act shall take effect ninety days after its passage. *Approved May 8, 1913.*

Chap. 630 AN ACT TO AUTHORIZE THE TOWN OF LEE TO REFUND A PART OF ITS INDEBTEDNESS.

Be it enacted, etc., as follows:

The town of Lee may refund certain indebtedness.

SECTION 1. The town of Lee, for the purpose of refunding indebtedness amounting to thirty-one thousand dollars and represented by demand notes, is hereby authorized to incur indebtedness to the said amount and to issue notes or bonds therefor. The said notes or bonds shall be signed by the treasurer and countersigned by the selectmen, and shall bear interest at a rate not exceeding five per cent per annum, payable semi-annually. There shall be six notes or bonds of which one shall be for six thousand dollars and shall be payable in the year nineteen hundred and fourteen. The remainder of the notes or bonds shall be payable one in each year for the five succeeding years, and shall be for such amounts that the amount to be paid each year, including interest on the outstanding notes or bonds and the principal payable in that year, shall be not less than the amount of the principal payable in any succeeding year. The amount required to pay the interest and principal due each year shall be raised by taxation, without further action by the town, in the same manner in which the other expenses of the town are provided for, until the whole loan is extinguished.

Duties of town treasurer.

SECTION 2. The treasurer of the town of Lee, with the approval of the selectmen, is hereby authorized, without

further action by the town, to issue notes or bonds in accordance with the provisions of this act.

Section 3. This act shall take effect upon its passage.

Approved May 8, 1913.

An Act to provide for reconstructing a part of Rocks bridge over the Merrimac river between the city of Haverhill and the town of West Newbury. *Chap.* 631

Be it enacted, etc., as follows:

Reconstruction of Rocks bridge authorized.

Section 1. The county commissioners of the county of Essex are hereby authorized to reconstruct that part of Rocks bridge, so-called, over the Merrimac river between the city of Haverhill and the town of West Newbury, which lies east of the draw in the said bridge, subject, however, to the provisions of chapter ninety-six of the Revised Laws and acts in amendment thereof and in addition thereto, and of all other general laws applicable thereto.

County of Essex to pay expense in first instance.

Section 2. The expense incurred under this act shall be paid in the first instance by the county of Essex. Upon the completion of said bridge and approaches the said commissioners shall file in the office of the clerk of courts of the county of Essex a detailed statement, certified under their hands, of the actual cost of reconstructing the said bridge, and within three months after the filing of the said statement they shall assess upon the city of Haverhill the sum of five thousand dollars, upon the town of West Newbury the sum of two thousand dollars, and upon the town of Merrimac the sum of two thousand dollars, as their part of the cost of reconstructing the said bridge. Within thirty days thereafter the said city and each of the said towns shall pay into the treasury of the county of Essex their part of the said expense as aforesaid. If the said city or either of the said towns neglects or refuses to pay the same, the county commissioners shall, after notice to the city or the town, issue a warrant against it for its part as aforesaid, with interest and the cost of the warrant, and the same shall be collected and paid into the treasury of the county to be applied in payment of the expense aforesaid. The remainder of the expense shall be borne by the county.

Apportionment of cost.

County may incur indebtedness, issue bonds, etc.

Section 3. For the purpose aforesaid the said commissioners are hereby authorized to borrow on the credit of the county a sum or sums not exceeding seventy thousand dollars. All moneys so borrowed shall be deposited in the

county treasury, and the treasurer of the county shall pay out the same as ordered by the county commissioners, and shall keep a separate and accurate account of all sums so borrowed and expended, including interest. Upon the completion of the reconstruction of the said bridge as provided in this act, the county commissioners are further authorized to issue bonds for the county's portion of the expense as aforesaid.

SECTION 4. This act shall take effect upon its passage.

Approved May 8, 1913.

Chap. 632 AN ACT RELATIVE TO SIGNS, AWNINGS AND OTHER PROJECTIONS IN PUBLIC WAYS IN THE CITY OF CAMBRIDGE.

Be it enacted, etc., as follows:

Placing of projections in public ways in Cambridge regulated.

SECTION 1. The board of aldermen of the city of Cambridge is hereby authorized to grant permits, to fix and determine regulation and inspection fees not exceeding one dollar for any one permit, and to make rules and regulations for the placing or maintaining of signs, advertising devices, clocks, marquees, permanent awnings, and structures projecting into, or placed on or over the public highways of said city, and to prescribe penalties for the breach of any such regulation, not exceeding five dollars for each day during which such sign, advertising device, clock, marquee, permanent awning, or structure is so placed or maintained contrary to the regulations made by the board of aldermen after five days' notice to remove the same has been given by the said board, or by a police officer of said city.

To be subject to requirements of superintendent of public buildings.

SECTION 2. All signs, advertising devices, clocks, marquees, permanent awnings and structures authorized by the board of aldermen as provided in the preceding section shall, after this act takes effect, be subject to the requirements of the superintendent of public buildings of the city of Cambridge as to their construction and physical connection with the buildings to which they are to be attached.

Not to apply to certain appurtenances of public service corporations.

SECTION 3. This act shall not apply to the poles, wires, conduits and appurtenances necessary to the operation of steam railroads, street railways, gas, electric light, heat and power companies, or to companies engaged in the business of the transmission of intelligence by electricity or other agency.

Time of taking effect.

SECTION 4. This act shall take effect three months after its passage.

Approved May 8, 1913.

AN ACT RELATIVE TO THE EMPLOYMENT OF PRISONERS IN RECLAIMING AND CULTIVATING LAND. *Chap.* 633

Be it enacted, etc., as follows:

Prisoners may be employed in reclaiming and cultivating land.

SECTION 1. During all times in which outdoor labor is practicable, inmates of penal institutions who are required to labor shall be employed, so far as is possible, in the reclamation of waste places, and in cultivating lands for raising produce to be used in public institutions. Prisoners so employed shall be at all times in the custody and under the direction of the prison officers.

County commissioners may purchase or lease land for purposes of cultivation, etc.

SECTION 2. The county commissioners of any county may purchase or lease land with funds specifically appropriated therefor by the general court for the purpose of improving and cultivating it by the labor of prisoners from a jail or house of correction; and the said commissioners may also make arrangements with the officials of a city or town, or with a private owner, to improve waste or unused land by means of such prison labor. When land that is not the property of the county is so improved, the owners thereof shall pay to the county such sums as may be agreed upon between the county commissioners and the other parties in interest, for the labor of any prisoners employed thereon.

SECTION 3. This act shall take effect upon its passage.

Approved May 8, 1913.

AN ACT TO PROVIDE FOR THE PAYMENT OF OUTSTANDING DEMAND NOTES AND THE RESTORATION OF TRUST FUNDS BY CITIES AND TOWNS. *Chap.* 634

Be it enacted, etc., as follows:

Cities and towns to provide for payment of outstanding notes, etc.

SECTION 1. During the year nineteen hundred and fourteen, every city or town which has at the time when this act takes effect outstanding notes payable on demand, or which has expended for the general expenses of the city or town trust funds which have not been restored, shall provide for the payment of such notes and for the restoration of such trust funds in the tax levy for the year nineteen hundred and fourteen, where such provision is reasonably practicable; but where it would be unreasonably burdensome for the city or town to provide in the tax levy of the year nineteen hundred and fourteen for the payment of its

outstanding demand notes and for the restoration of any trust funds heretofore expended for general expenses, such city or town may provide for such payment and restoration as authorized by section two of this act.

May incur indebtedness, issue notes, etc.

SECTION 2. For the purpose of paying any notes of a city or town payable on demand and outstanding when this act takes effect, and also for the purpose of restoring any trust funds which were received by a city or town and subsequently expended by it for the general expenses of such city or town and not thereafter restored, any such city or town is hereby authorized to borrow outside the limit of indebtedness fixed by law for such city or town, a sum or sums of money not exceeding in the aggregate the amount required for paying such demand notes and for the restoring of such trust funds, and to issue notes or bonds therefor payable at periods not exceeding fifteen years from their respective dates of issue. Such notes or bonds when issued by a city shall be signed by the treasurer and countersigned by the mayor, and when issued by a town shall be signed by the treasurer and countersigned by the selectmen or by a majority of them; and shall bear interest, and shall be sold or disposed of in such manner and on such terms as the treasurer and mayor of the city or the treasurer and the selectmen of the town may determine, but they shall not be sold for less than their par value.

Payment of notes or bonds.

SECTION 3. Cities and towns, at the time of issuing such notes or bonds, shall provide for the payment thereof by such annual payments as will extinguish the same within the time prescribed in the preceding section, and in such manner that the first of such annual payments shall be made not later than one year after the date of the bonds or notes issued therefor, and that the amount of such annual payments in any year shall not be less than the amount of the principal payable in any subsequent year; and such annual amount, together with the interest payable in that year, shall, without further vote, be assessed annually thereafter until the whole debt is extinguished.

Time of taking effect.

SECTION 4. This act shall take effect on the first day of January, nineteen hundred and fourteen.

Approved May 8, 1913.

An Act to provide further for the development of boston harbor by the directors of the port of boston. *Chap.* 635

Be it enacted, etc., as follows:

Section 1. The directors of the port of Boston are hereby authorized to undertake such work for the improvement, development, maintenance and protection of Boston harbor, as defined in chapter seven hundred and forty-eight of the acts of the year nineteen hundred and eleven, as they may deem reasonable and proper, and may expend, in addition to the amounts named in said chapter seven hundred and forty-eight, during the years nineteen hundred and thirteen, nineteen hundred and fourteen, and nineteen hundred and fifteen, a sum not exceeding seventy-five thousand dollars. The directors shall not expend more than twenty-five thousand dollars of this amount in any one year, but any unexpended balance in any year may be used in the succeeding year for the said purpose. Expenditures for further development of Boston harbor authorized.

Section 2. In selecting the places in Boston harbor where said seventy-five thousand dollars shall be expended, the general public advantage of the proposed work and the local, municipal or other contributions for the purpose shall be duly considered. Public advantage to be considered in making improvements.

Section 3. A city or town may appropriate money or assume liability for damages for improvements proposed to be made under the provisions hereof as is provided in section three of chapter four hundred and eighty-one of the acts of the year nineteen hundred and nine. Cities and towns may make appropriations, etc.

Section 4. This act shall take effect upon its passage.

Approved May 8, 1913.

An Act relative to the taxation of mortgages of personal property. *Chap.* 636

Be it enacted, etc., as follows:

Section 1. Mortgages upon buildings or other things, which with the land upon which they are erected or to which they are affixed are taxable as real estate as defined by section three of Part I of chapter four hundred and ninety of the acts of the year nineteen hundred and nine, shall be deemed to be mortgages of real estate for the purposes of taxation and shall be taxed according to the provisions of Certain mortgages to be deemed mortgages of real estate for taxation purposes.

sections sixteen, seventeen and eighteen of Part I of said chapter.

SECTION 2. This act shall take effect upon its passage.

Approved May 9, 1913.

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*Chap.*637 AN ACT TO ESTABLISH THE SALARY OF THE SHERIFF OF THE COUNTY OF PLYMOUTH.

Be it enacted, etc., as follows:

Salary established.

The salary of the sheriff of the county of Plymouth shall be eighteen hundred dollars a year, to be so allowed from the first day of January, nineteen hundred and fourteen.

(*The foregoing was laid before the governor on the fifth day of May, 1913, and after five days it had "the force of a law", as prescribed by the Constitution, as it was not returned by him with his objections thereto within that time.*)

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*Chap.*638 AN ACT TO ESTABLISH THE SALARY OF THE SUPERVISOR OF LOAN AGENCIES.

Be it enacted, etc., as follows:

Salary established.

SECTION 1. The annual salary of the supervisor of loan agencies shall be thirty-five hundred dollars.

SECTION 2. This act shall take effect upon its passage.

(*The foregoing was laid before the governor on the fifth day of May, 1913, and after five days it had "the force of a law", as prescribed by the Constitution, as it was not returned by him with his objections thereto within that time.*)

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*Chap.*639 AN ACT RELATIVE TO THE LAYING OUT AND CONSTRUCTION BY THE MASSACHUSETTS HIGHWAY COMMISSION OF A HIGHWAY IN THE TOWN OF REVERE.

Be it enacted, etc., as follows:

1910, 646, § 1, amended.

SECTION 1. Section one of chapter six hundred and forty-six of the acts of the year nineteen hundred and ten is hereby amended by striking out the words "a sixty", in the twelfth line, and inserting in place thereof the words: — an eighty, — so as to read as follows: — *Section 1.* The Massachusetts highway commission is hereby authorized to expend the sum of one hundred and twenty-five thousand dollars, during the present year in purchasing or taking by right of eminent domain land for the purpose of eventually laying out and constructing a highway in the town of Revere

Construction of a certain highway in the town of Revere.

from a point at or near the junction of Ocean avenue and Revere street to a point at or near the Point of Pines station lot and joining the metropolitan boulevard. Said purchases and takings may be made over such route as the Massachusetts highway commission shall determine and may be made on the basis of an eighty-foot location. This act shall not be construed as ordering the immediate laying out or construction of said route or any part thereof as a state highway.

1912, 697, § 1, amended.

Section 2. Section one of chapter six hundred and ninety-seven of the acts of the year nineteen hundred and twelve is hereby amended by striking out the words "a sixty", in the eighteenth line, and inserting in place thereof the words: — an eighty, — so as to read as follows: —

Construction of a certain highway in the town of Revere.

Section 1. The Massachusetts highway commission is hereby authorized to expend a sum not exceeding one hundred and seventy-five thousand dollars, in addition to the amount appropriated for the same purpose by chapter six hundred and forty-six of the acts of the year nineteen hundred and ten, as amended by chapter five hundred and fifty-seven of the acts of the year nineteen hundred and eleven, in purchasing or taking by right of eminent domain land for the purpose of eventually laying out and constructing a highway in the town of Revere from a point at or near the Point of Pines station lot and adjoining the metropolitan boulevard, to a point on Revere street in the town of Revere, and to use any balance of said money that is not, in its opinion, necessary for the payment of land damages, for the construction of a highway in the said location, so far as the same may be available. Any such purchase or taking may be made upon such route as the commission may determine and may be made on the basis of an eighty-foot location. In laying out and constructing said highway the said commission shall take into consideration a continuance of said highway to a point at or near Charles Eliot Circle, and shall prepare and present to the next general court plans and estimates for a continuation of the highway from Revere street to a point at or near said Charles Eliot Circle, either wholly or in part over a new route to be selected, or along existing highways, as the commission may determine to be most advisable. In laying out and constructing said highway, the commission is authorized to make use of any land the title to which is in the commonwealth, or which is under

the control of the metropolitan park commission, without payment therefor, provided it shall not encroach upon or interfere with the existing travelled roadway of the metropolitan boulevard.

Authority of highway commission continued.

SECTION 3. The authority conferred upon the Massachusetts highway commission by chapter six hundred and forty-six of the acts of the year nineteen hundred and ten and by chapter six hundred and ninety-seven of the acts of the year nineteen hundred and twelve to expend a total sum of three hundred thousand dollars in acquiring land and in the laying out and construction of a highway in the town of Revere may be exercised until said work shall have been completed and until said sum shall have been expended.

SECTION 4. This act shall take effect upon its passage.

Approved May 12, 1913.

Chap. 640 AN ACT RELATIVE TO THE CONSTRUCTION OF THE CENTRAL BRIDGE, SO-CALLED, AT LAWRENCE.

Be it enacted, etc., as follows:

1907, 486, § 7, repealed.

Section seven of chapter four hundred and eighty-six of the acts of the year nineteen hundred and seven, relating to the approval by the board of railroad commissioners of plans for the construction of a bridge over the Merrimac river in the city of Lawrence, is hereby repealed.

Approved May 12, 1913.

Chap. 641 AN ACT TO ESTABLISH THE CHELMSFORD WATER DISTRICT.

Be it enacted, etc., as follows:

Chelmsford Water District established.

SECTION 1. The inhabitants of the town of Chelmsford, liable to taxation in that town and residing within the territory enclosed by the following boundary lines, to wit: — Beginning at a stone bound at the northeasterly corner of the said district, said bound being on the boundary line between the town of Chelmsford and the city of Lowell; thence running southwesterly in a straight line about eighty-one hundred and sixty-eight feet to a stone bound on Horn Beam hill, so-called; thence southwesterly in a straight line about six thousand five hundred and ninety-five feet to a stone bound on Robin hill, so-called; thence southeasterly about forty-seven hundred and sixty-eight feet to a stone bound at the end of a wall on the easterly side of the Boston road, so-called; thence still southeasterly

along the line of said wall to River Meadow brook; thence in a northerly and easterly direction along said brook to its intersection with the Old Middlesex canal; thence northwesterly along the line of said canal about three thousand and thirty-one feet to a stone bound on the boundary line between Chelmsford and Lowell; thence still northwesterly on said boundary line about three hundred and twenty-nine feet to a stone bound; thence northwesterly still on said boundary line between Chelmsford and Lowell about two thousand and seventy-three feet to the point of beginning, — shall constitute a water district, and are hereby made a body corporate by the name of the Chelmsford Water District, for the purpose of supplying themselves with water for the extinguishment of fires and for domestic and other purposes, with power to establish fountains and hydrants and to relocate and discontinue the same, to regulate the use of such water and to fix and collect rates to be paid therefor, and to take, or acquire by lease, purchase or otherwise, and to hold property, lands, rights of way and other easements for the purposes mentioned in this act, and to prosecute and defend all actions relating to the property and affairs of the district.

May take, etc., lands, water sources, etc.

Section 2. Said water district, for the purposes aforesaid, may take, or acquire by purchase or otherwise, and hold, the waters of any pond or stream or of any ground sources of supply by means of driven, artesian or other wells within the town of Chelmsford, and the water rights connected with any such water sources. Said district may also take, or acquire by purchase or otherwise, and hold, all lands, rights of way and other easements necessary for collecting, storing, holding, purifying and preserving the purity of the water and for conveying the same to any part of said district: *provided, however*, that no source of water supply and no lands necessary for preserving the quality of the water, shall be taken or used without first obtaining the advice and approval of the state board of health, and that the situation of all dams, reservoirs and wells to be used as sources of water supply under this act shall be subject to the approval of said board. Said district may construct on the lands acquired and held under the provisions of this act proper dams, reservoirs, standpipes, tanks, buildings, fixtures and other structures, and may make excavations, procure and operate machinery and provide such other means and ap-

Proviso.

May erect structures, lay pipes, etc.

pliances, and do such other things as may be necessary for the establishment and maintenance of complete and effective water works; and for that purpose may construct wells and reservoirs and establish pumping works, and may construct, lay and maintain aqueducts, conduits, pipes and other works under or over any land, water courses, railroads, railways and public or other ways, and along such ways in Chelmsford, in such manner as not unnecessarily to obstruct the same; and for the purpose of constructing, laying, maintaining, operating and repairing such conduits, pipes and other works, and for all proper purposes of this act, said district may dig up or raise and embank any such lands, highways or other ways in such manner as to cause the least hindrance to public travel; and all things done upon any such way shall be subject to the direction of the selectmen of the town of Chelmsford. The district shall not enter upon, construct or lay any conduits, pipes or other works within the location of any railroad corporation except at such times and in such manner as it may agree upon with such corporation or, in case of failure so to agree as may be approved by the board of railroad commissioners.

Description of lands, etc., taken, to be recorded, etc.

Section 3. Said water supply district shall, within ninety days after the taking of any lands, water rights, water sources, rights of way, or other easements under the provisions of this act, file and cause to be recorded in the registry of deeds for the county or district in which the same are situated a description thereof sufficiently accurate for identification, with a statement of the purpose for which the same were taken, signed by the water commissioners hereinafter provided for. The title to all land taken, purchased or acquired in any way under the provisions of this act shall vest in said Chelmsford Water District, and the land so acquired may be managed, improved and controlled by the board of water commissioners hereinafter provided for, in such manner as they shall deem for the best interest of said district.

Damages.

Section 4. Said district shall pay all damages to property sustained by any person or corporation by the taking of any land, water, water source, water right, right of way or other easement, or by any other thing done by said district under authority of this act. Any person or corporation sustaining damages as aforesaid, and failing to agree with the district as to the amount thereof, may have the same

determined in the manner provided by law in the case of land taken for the laying out of highways, on application at any time within two years after the taking of such land or other property or the doing of other injury under authority of this act; but no such application shall be made after the expiration of said two years; and no assessment of damages shall be made for the taking of any water, water right, or for any injury thereto, until the water is actually withdrawn or diverted by the district under authority of this act. Said district may by vote, from time to time, determine what amount or quantity of water it proposes to take under this act; in which case any damages caused by such taking shall be based upon such amount or quantity until the same shall be increased by vote or otherwise, and in that event said district shall be liable further only for the additional damage caused by such additional taking.

Chelmsford Water District Loan, Act of 1913.

Section 5. Said district, for the purpose of paying the necessary expenses and liabilities incurred under the provisions of this act, may issue from time to time bonds or notes to an amount not exceeding seventy-five thousand dollars. Such bonds or notes shall bear on their face the words, Chelmsford Water District Loan, Act of 1913; shall be payable by such annual payments, beginning not more than one year after their respective dates, as will extinguish each loan within thirty years from its date; and the amount of such annual payment of any loan in any year shall not be less than the amount of the principal of said loan payable in any subsequent year. Each authorized issue of bonds or notes shall constitute a separate loan. Said bonds or notes shall bear interest at a rate not exceeding five per cent per annum, payable semi-annually, and shall be signed by the treasurer of the town and countersigned by a majority of the water commissioners hereinafter provided for. The district may sell the said securities at public or private sale, upon such terms and conditions as it may deem proper, but they shall not be sold for less than their par value, and the proceeds shall be used only for the purposes herein specified. The town of Chelmsford may, at its annual town meeting or at any legal meeting called for the purpose, guarantee the payment of such bonds or notes.

Payment of loan.

Section 6. The said district shall, at the time of authorizing said loan or loans, provide for the payment thereof in accordance with the provisions of section five of this act;

and when a vote to that effect has been passed, a sum which, with the income derived from water rates, will be sufficient to pay the annual expense of operating its water works and the interest as it accrues on the bonds or notes issued as aforesaid by the district, and to make such payments on the principal as may be required under the provisions of this act, shall annually thereafter, without further vote, be assessed by the assessors of the town, in the same manner in which other taxes are assessed, until the debt incurred by said loan or loans is extinguished.

Assessment and collection of tax.

SECTION 7. Whenever a tax is duly voted by said district for the purposes of this act the clerk shall send a certified copy of the vote to the assessors of the town of Chelmsford, who shall proceed within thirty days thereafter to assess the same in the same manner in which town taxes are required by law to be assessed. The assessment shall be committed to the town collector who shall collect said tax in the manner provided by law for the collection of town taxes, and shall deposit the proceeds thereof with the district treasurer for the use and benefit of said district. Said district may collect interest on over-due taxes in the manner in which interest is authorized to be collected on town taxes:

Proviso.

provided, that the district at the time of voting to raise the tax shall so determine, and shall also fix a time for payment thereof.

First meeting.

SECTION 8. The first meeting of said district shall be called on petition of ten or more legal voters therein, by a warrant from the selectmen of the town of Chelmsford, or from a justice of the peace, directed to one of the petitioners, requiring him to give notice of the meeting by posting copies of the warrant in two or more public places in the district seven days at least before the time of the meeting. The said justice of the peace, or one of the selectmen, shall preside at the meeting until a clerk is chosen and sworn, and the clerk shall preside until a moderator is chosen. After the choice of a moderator for the meeting the question of the acceptance of this act shall be submitted to the voters, and if it is accepted by a majority of the voters present and voting thereon it shall take effect, and the meeting may then proceed to act on the other articles contained in the warrant.

Water commissioners, election, terms, etc.

SECTION 9. The Chelmsford Water District shall, after the acceptance of this act as aforesaid, elect by ballot five persons to hold office, one until the expiration of three

years, one until the expiration of two years, and three until the expiration of one year from the next succeeding annual district meeting, to constitute a board of water commissioners; and at every annual meeting thereafter one such commissioner shall be elected by ballot for the term of three years, thereby reducing the number of the commissioners to three. All the authority granted to said district by this act, and not otherwise specifically provided for, shall be vested in said board of water commissioners, who shall be subject, however, to such instructions, rules and regulations as the district may by vote impose. Said commissioners shall appoint a treasurer of said district, who may be one of their number, who shall give bonds to the district in such an amount and with such sureties as may be approved by the commissioners. A majority of the commissioners shall constitute a quorum for the transaction of business. Any vacancy occurring in said board from any cause may be filled for the remainder of the unexpired term by said water district at any legal meeting called for the purpose. No money shall be drawn from the district treasury on account of the water works except upon a written order of said commissioners or a majority of them.

Quorum.

Vacancy.

Section 10. Said commissioners shall fix just and equitable prices and rates for the use of water, and shall prescribe the time and manner of payment. The income of the water works shall be applied to defraying all operating expenses, interest charges and payments on the principal as they accrue upon any bonds or notes issued under authority of this act. If there should be a net surplus remaining after providing for the aforesaid charges, it may be used for such new construction as the water commissioners may determine upon, and in case a surplus should remain after payment for such new construction the water rates shall be reduced proportionately. No money shall be expended in new construction by the water commissioners except from the net surplus aforesaid, unless the district appropriates and provides money therefor. Said commissioners shall annually, and as often as the district may require, render a report of the condition of the works under their charge, and an account of their doings, including an account of receipts and expenditures.

Water rates, etc.

Annual report.

Section 11. Said district may adopt by-laws prescribing by whom and how meetings may be called, notified and conducted; and, upon the application of ten or more

Rules and regulations, etc.

legal voters in the district, meetings may also be called by warrant as provided in section eight. Said district may also establish rules and regulations for the management of its water works, not inconsistent with this act or with the laws of the commonwealth, and may choose such other officers not provided for in this act as it may deem necessary or proper.

Penalty for pollution, etc., of water, etc.

SECTION 12. Whoever wilfully or wantonly corrupts, pollutes or diverts any water obtained or supplied under this act, or wilfully or wantonly injures any reservoir, standpipe, aqueduct, pipe or other property owned or used by said district for the purposes of this act, shall forfeit and pay to the district three times the amount of damages assessed therefor, to be recovered in an action of tort, and upon conviction of any of the above acts shall be punished by a fine not exceeding one hundred dollars or by imprisonment in jail for a term not exceeding six months.

Certain property may be included within the district upon petition, etc.

SECTION 13. Upon a petition in writing addressed to the water commissioners by any owner of real estate in Chelmsford abutting on the district described in section one, or as subsequently enlarged under the provisions of this section, setting forth that the petitioner desires to have certain accurately described parts of his real estate included in the district, the water commissioners shall cause a duly warned meeting of the district to be called, at which meeting a majority of the voters present and voting may vote to include in the said district such petitioner's real estate as described in his petition. If it be so voted the clerk of the district shall, within ten days, file with the town clerk of Chelmsford an attested copy of said petition and vote, describing precisely the real estate added to the district; and thereupon said petitioner's real estate as described in his petition shall be a part of said district and shall be holden under the provisions of this act in the same manner and to the same extent as the real estate described in section one.

Time of taking effect.

SECTION 14. This act shall take effect upon its acceptance by a majority vote of the voters of said district described in section one, present and voting thereon at a district meeting called in accordance with the provisions of section eight, within two years after the passage of this act; but this act shall become void unless the said district shall begin to distribute water to consumers within two years after the date of the acceptance of the act as aforesaid.

Approved May 12, 1913.

AN ACT RELATIVE TO THE RETIREMENT OF CERTAIN VETERANS IN THE SERVICE OF THE SOLDIERS' HOME IN MASSACHUSETTS. *Chap.*642

Be it enacted, etc., as follows:

Certain veterans in the service of the Soldiers' Home may be retired.

SECTION 1. A veteran of the civil war in the service of the Soldiers' Home in Massachusetts, if incapacitated for active service, may be retired by the trustees of the home, with the consent of the governor and council, at one half the average rate of compensation paid to him during the two years immediately preceding his retirement: *provided*, that no veteran shall be paid more than five hundred dollars per year under the provisions of this act; and *provided, further*, that no veteran shall be retired under the provisions of this act unless he has been in the service of the said home for a period of not less than fifteen years preceding the date of his retirement.

Provisos.

SECTION 2. This act shall take effect upon its passage.

Approved May 13, 1913.

AN ACT RELATIVE TO THE SALE OF LOBSTERS AND LOBSTER MEAT. *Chap.*643

Be it enacted, etc., as follows:

Sales of lobsters, etc., regulated.

SECTION 1. All lobsters or parts of lobsters sold for use in this state or for export from the state shall be sold and delivered in the shell, except as is hereinafter otherwise provided.

Penalty for unlawfully selling, etc., lobster meat.

SECTION 2. It shall be unlawful for any person, firm or corporation to sell, give away, ship or buy lobster meat after the same has been taken from the shell, except as is hereinafter provided. Whoever violates any provision of this section shall be subject to a fine of not more than twenty-five dollars for each offence.

Penalty for unlawful transportation of lobster meat.

SECTION 3. It shall be unlawful for any person, firm or corporation carrying on the business of a common carrier to carry or transport from one place to another any lobster meat unless the same has been legally taken from the shell; and whoever knowingly violates any provision of this section shall be subject to a fine of not more than fifty dollars for each offence.

Lobster meat unlawfully sold, etc., may be confiscated.

SECTION 4. Any lobster meat unlawfully sold, given away, shipped, bought or transported shall be liable to seizure and may be confiscated.

Not to affect sale of certain lobsters, etc.

SECTION 5. Nothing contained herein shall be held to prohibit the sale of lobsters legally canned, or of lobsters sold for food by licensed victuallers, or of lobsters removed from the shell on the premises where they are eaten. Nothing contained herein shall prohibit the sale of lobster meat by wholesale or retail dealers in lobsters: *provided*, that the meat is removed from the shell at their regular place of business where lobsters are bought and sold, and that said dealers have a written permit for such sale from the commissioners on fisheries and game, and that the lobster meat is so removed and sold under such conditions and regulations as the said commissioners may prescribe; and *provided, further*, that the premises where the meat is so removed or sold are at all times open to the inspection of the said commissioners and their deputies. *Approved May 13, 1913.*

Provisos.

Chap. 644 AN ACT RELATIVE TO THE VENUE OF TRANSITORY ACTIONS IN POLICE, DISTRICT AND MUNICIPAL COURTS.

Be it enacted, etc., as follows:

R. L. 167, § 2, amended.

Section two of chapter one hundred and sixty-seven of the Revised Laws is hereby amended by inserting after the word "county", in the ninth line, the words: — When the plaintiff lives in one county, and the defendant lives in another county and is not in the exclusive jurisdiction of any police, district or municipal court of the county in which he lives or has his usual place of business, and there is no trustee named in the writ, the action shall be brought in the county in which the defendant lives or has his usual place of business and in a court whose judicial district adjoins, or is near to, the town in which the defendant lives, — so as to read as follows: — *Section 2.* A transitory action in a police, district or municipal court shall be brought in the county in which one of the defendants lives or has his usual place of business, or, if commenced by the trustee process, in the county in which all the persons named in the writ as trustees live or have their usual places of business, and, in either case, in a court within whose judicial district one of the parties lives or has his usual place of business; or, if no one of the parties lives or has a usual

Venue of transitory actions in inferior courts.

place of business within a judicial district, then in any such court in said county. When the plaintiff lives in one county, and the defendant lives in another county and is not in the exclusive jurisdiction of any police, district or municipal court of the county in which he lives or has his usual place of business, and there is no trustee named in the writ, the action shall be brought in the county in which the defendant lives or has his usual place of business and in a court whose judicial district adjoins, or is near to, the town in which the defendant lives. An action of summary process under the provisions of chapter one hundred and eighty-one shall, if the land in controversy is situated within a judicial district, be brought in the court for that district; otherwise, it may be brought in any such court in the county in which the land is situated. Said courts shall have jurisdiction of a transitory action against a defendant who is not an inhabitant of this commonwealth if personal service or an effectual attachment of property is made within the commonwealth; and such action may be brought in any of said courts in the county in which the service or attachment was made.

Approved May 13, 1913.

An Act relative to the establishment of reserve funds by towns. *Chap.* 645

Be it enacted, etc., as follows:

1912, 347, § 1, amended.

Section 1. Chapter three hundred and forty-seven of the acts of the year nineteen hundred and twelve is hereby amended by striking out section one and inserting in place thereof the following: — *Section 1.* To provide for extraordinary or unforeseen expenditures, towns may at an annual town meeting appropriate a sum of money not exceeding five per cent of the tax levy of the preceding year, to be known as the Reserve Fund. No direct drafts against this fund shall be made, but transfers from the fund may from time to time be voted by the finance or appropriation committee of the town, in towns having such a committee, and in other towns by the selectmen; and the town accountant, in towns having such an official, and in other towns the auditor or board of auditors, shall make such transfers accordingly. The town treasurer shall honor drafts against the fund so transferred.

Reserve funds for towns.

Section 2. This act shall take effect upon its passage.

Approved May 13, 1913.

Chap. 646 AN ACT RELATIVE TO COMPENSATION TO THE OWNERS OF ANIMALS KILLED ON ACCOUNT OF BEING AFFLICTED WITH GLANDERS.

Be it enacted, etc., as follows:

Compensation to be paid to owners of animals killed on account of being afflicted with glanders.

SECTION 1. If any horses, asses or mules which are condemned as afflicted with glanders are killed, under the provisions of section six of chapter ninety of the Revised Laws the full value thereof at the time of condemnation, not exceeding fifty dollars for any one animal, shall be paid to the owner by the commonwealth if such animal was owned within the commonwealth twelve consecutive months prior to being killed, and if the owner thereof has not, in the opinion of the commissioner of animal industry, contributed to the spread of glanders by any wilful act or neglect.

Determination of value.

SECTION 2. If an owner entitled to compensation under the provisions of this act cannot agree with the commissioner of animal industry as to the value of the animal killed, the value shall be determined by arbitration in the manner provided by section twenty-six of chapter ninety of the Revised Laws.

SECTION 3. This act shall take effect upon its passage.

Approved May 13, 1913.

Chap. 647 AN ACT RELATIVE TO THE SALE OF CANDY CONTAINING ALCOHOL.

Be it enacted, etc., as follows:

R. L. 213, § 4, amended.

Penalty for sale of candy containing alcohol.

Chapter two hundred and thirteen of the Revised Laws is hereby amended by striking out section four and inserting in place thereof the following: — *Section 4.* Whoever sells to a person any candy enclosing or containing liquid or syrup containing more than one per cent of alcohol shall be punished by a fine of not more than one hundred dollars for each offence.

Approved May 13, 1913.

Chap. 648 AN ACT RELATIVE TO CONSTRUING SPECIAL ACTS LIMITING THE INDEBTEDNESS OF CITIES AND TOWNS FOR SPECIFIED PURPOSES.

Be it enacted, etc., as follows:

R. L. 8, amended.

SECTION 1. Chapter eight of the Revised Laws is hereby amended by adding at the end thereof the following new

section: — *Section 6.* In construing any special act heretofore or hereafter enacted authorizing a city or town to incur indebtedness for a specified purpose to a limited amount, such limitation of amount shall be deemed to apply only to the indebtedness authorized by the special act, and not to affect any other power which the city or town may have under any other provisions of law to incur indebtedness for said purpose; and in special acts authorizing loans to be payable by proportionate payments, such provision shall be construed to mean payments as nearly equal in amount as is possible without unreasonable fractions, but no payment of the principal shall be greater than any preceding payment.

Special acts limiting municipal indebtedness, etc., how construed.

SECTION 2. This act shall take effect upon its passage.

Approved May 13, 1913.

AN ACT RELATIVE TO THE OVERLAY OF TAXES.

*Chap.*649

Be it enacted, etc., as follows:

SECTION 1. Part I of chapter four hundred and ninety of the acts of the year nineteen hundred and nine is hereby amended by striking out section fifty-four and inserting in place thereof the following: — *Section 54.* The assessors may add to the amount to be assessed not more than five per cent thereof, although the limit of taxation may by such overlay be exceeded, such amount to be used only for abatements granted on account of taxes assessed of which the overlay is a part; but any balance in the overlay account, after the entire amount of the warrant is collected or abated, shall be transferred to a reserve fund to be used for extraordinary or unforeseen expenses.

1909, 490, Part I, § 54, amended.

Overlay of taxes.

SECTION 2. This act shall take effect upon its passage.

Approved May 13, 1913.

AN ACT TO REGULATE THE MANUFACTURE OF SAUSAGES.

*Chap.*650

Be it enacted, etc., as follows:

SECTION 1. Chapter two hundred and thirteen of the Revised Laws is hereby amended by striking out section nine and inserting in place thereof the following: — *Section 9.* It shall be unlawful in the manufacture of sausages to use any coloring matter. Sausages shall not contain cereal in excess of two per cent. When cereal is added its presence shall be stated on the label or on the product. Water or ice shall not be added to sausage except for the purpose of facilitating

R. L. 213, § 9, amended.

Manufacture of sausages regulated.

grinding, chopping and mixing, in which case the water or ice shall not exceed three per cent, except as hereinafter provided. Sausages of the class which are smoked or cooked, such as Frankfort style, Vienna style, and Bologna style, may contain added water in excess of three per cent, but not in excess of an amount sufficient to make the product palatable. When water, in excess of three per cent, and cereal are added to this class of sausages the statement "Sausage, water and cereal" shall appear on the label or on the product, but when no cereal is added the addition of water need not be stated.

Sale of certain sausages unlawful.

SECTION 2. It shall be unlawful to sell sausages manufactured contrary to the provisions of this act.

Penalty.

SECTION 3. Whoever violates the provisions of this act shall be punished by a fine of not more than one hundred dollars for each offence. *Approved May 13, 1913.*

Chap. 651 AN ACT TO ESTABLISH THE SALARIES OF THE COUNTY COMMISSIONERS OF THE COUNTY OF ESSEX.

Be it enacted, etc., as follows:

Salaries established.

SECTION 1. The salaries of the county commissioners of the county of Essex shall be six thousand dollars per annum, or two thousand dollars each.

Repeal.

SECTION 2. All acts and parts of acts inconsistent herewith are hereby repealed.

SECTION 3. This act shall take effect upon its passage. (*The foregoing was laid before the governor on the seventh day of May, 1913, and after five days it had "the force of a law", as prescribed by the Constitution, as it was not returned by him with his objections thereto within that time.*)

Chap. 652 AN ACT TO REGULATE APPEALS IN CRIMINAL CASES.

Be it enacted, etc., as follows:

R. L. 219, § 22, etc., amended.

SECTION 1. Section twenty-two of chapter two hundred and nineteen of the Revised Laws, as amended by chapter three hundred and nineteen of the acts of the year nineteen hundred and five, is hereby further amended by inserting after the word "behavior", in the seventeenth line, the words: — except that in cases of misdemeanor the appellant may, in the discretion of the court or trial justice, be held on his own recognizance, — so as to read as fol-

lows: — *Section 22.* Whoever is convicted of a crime before a police, district or municipal court or trial justice may appeal to the superior court, and at the time of conviction shall be notified of his right to take such appeal. The case shall be entered in the superior court on the return day next after the appeal is taken, and the appellant shall be committed to abide the sentence of said court until he recognizes to the commonwealth, in such sum and with such surety or sureties as the court or trial justice requires, with condition to appear at the superior court on said return day and at any subsequent time to which the case may be continued, if not previously surrendered and discharged, and so from time to time until the final sentence, order or decree of the court thereon, and to abide such final sentence, order or decree, and not depart without leave, and in the meantime to keep the peace and be of good behavior; except that in cases of misdemeanor the appellant may, in the discretion of the court or trial justice, be held on his own recognizance. The appellant shall not be required to advance any fees upon claiming his appeal or in prosecuting the same. Appeals in criminal cases.

SECTION 2. This act shall take effect upon its passage.

Approved May 13, 1913.

AN ACT TO AUTHORIZE THE SUSPENSION OF SENTENCES BY THE COURTS IN CERTAIN INSTANCES. *Chap.* 653

Be it enacted, etc., as follows:

Section one of chapter two hundred and twenty of the Revised Laws, as amended by chapter three hundred and thirty-eight of the acts of the year nineteen hundred and five and by chapter one hundred and fifty-four of the acts of the year nineteen hundred and twelve, is hereby further amended by striking out the sentence beginning with the word "In", in the eleventh line, and ending with the word "probation", in the seventeenth line, and inserting in place thereof the words: — In case the fine does not exceed fifteen dollars, if the court finds that the defendant is unable to pay the fine when it is imposed, the execution of the sentence shall be suspended and he shall be placed on probation, unless the court shall find that he will probably default, or that such suspension will be detrimental to the interests of the public. If he is committed for non-payment of a fine, the order of commitment shall contain a recital of the findings of the R. L. 220, § 1, etc., amended.

Execution of sentences may be suspended, etc.

court on which suspension is refused, — so as to read as follows: — *Section 1.* When a person convicted before a municipal, police or district court is sentenced to imprisonment, the court may direct that the execution of the sentence be suspended, and that he be placed on probation for such time and on such terms and conditions as it shall fix. When a person convicted before any of said courts is sentenced to pay a fine, and to stand committed until the same is paid, the court may direct that the execution of the sentence be suspended for such time as it shall fix, and that he be placed on probation on condition that he pay the fine within the time so fixed. In case the fine does not exceed fifteen dollars, if the court finds that the defendant is unable to pay the fine when it is imposed, the execution of the sentence shall be suspended and he shall be placed on probation, unless the court shall find that he will probably default, or that such suspension will be detrimental to the interests of the public. If he is committed for non-payment of a fine, the order of commitment shall contain a recital of the findings of the court on which suspension is refused. The fine shall be paid in one payment, or in part payments, to the probation officer, and when fully paid the order of commitment shall be void. The probation officer shall give a receipt for every payment so made, shall keep a record of the same, shall pay the fine, or all sums received in part payment thereof, to the clerk of the court at the end of the period of probation or any extension thereof, and shall keep on file the clerk's receipt therefor. If at the end of said period the probation officer shall report that the fine is in whole or in part unpaid, and that in his opinion the person is unable to pay the same, the court may either extend said period, place the case on file or revoke the suspension of the execution of the sentence. When the suspension of the execution of the sentence is revoked, in a case where the fine has been paid in part, the defendant may be committed for default in payment of the balance of the fine.

Approved May 13, 1913.

Chap. 654 AN ACT RELATIVE TO THE SALE AND USE OF EGGS UNFIT FOR FOOD.

Be it enacted, etc., as follows:

Sale of eggs unfit for food regulated.

SECTION 1. It shall be unlawful for any person, firm or corporation or any officer, agent or employee thereof, to sell,

offer for sale, expose for sale, or have in possession with intent to sell, eggs that are unfit for food within the meaning of this act.

Eggs which shall be considered unfit for food.

SECTION 2. This act shall apply to eggs which, either before or after removal from the shell, are wholly or partly decayed or decomposed, and to eggs in the fluid state, any part of which is wholly or partly decayed or decomposed, and to eggs, in the fluid state or otherwise, that are mixed with parts of eggs which are derived from eggs that are wholly or partly decayed or decomposed. This act shall also apply to frozen masses of broken eggs, if the mass contains eggs that are wholly or partly decayed or decomposed, or that are mixed with parts of eggs that have been taken from eggs that were wholly or partly decayed or decomposed.

Use of decayed eggs in food products unlawful.

SECTION 3. It shall be unlawful for any person, firm or corporation, or any officer, agent or employee thereof, to use eggs that are either wholly or partly decayed or decomposed in the preparation of food products. And it shall be unlawful to deliver, sell, purchase or accept wholly or partly decayed or decomposed eggs in or at any establishment where food products are prepared or manufactured.

Penalty.

SECTION 4. Violation of any provision of this act shall be punished by a fine of not less than ten nor more than one thousand dollars, or by imprisonment for not less than three months, or by both such fine and imprisonment.

Enforcement of act.

SECTION 5. The state board of health shall enforce the provisions of this act.

Not to prohibit sale or use for other than food purposes.

SECTION 6. Nothing in this act shall be construed to prohibit the purchase, sale or possession for other than food purposes of rotten, decayed or partly decayed eggs which are unfit for food.

(*The foregoing was laid before the governor on the eighth day of May, 1913, and after five days it had "the force of a law", as prescribed by the Constitution, as it was not returned by him with his objections thereto within that time.*)

AN ACT TO REVISE AND CODIFY THE BUILDING INSPECTION LAWS OF THE COMMONWEALTH. *Chap.* 655

Be it enacted, etc., as follows:

Cities and towns may regulate the construction and inspection of buildings,

SECTION 1. Every city, except Boston, and every town which accepts the provisions of this section or has accepted the corresponding provisions of earlier laws may, for the prevention of fire and the preservation of life, health and

etc., within their limits.

morals, by ordinances or by-laws not inconsistent with law and applicable throughout the whole or any defined part of its territory, regulate the inspection, materials, construction, alteration, repair, height, area, location and use of buildings and other structures within its limits, except such as are owned or occupied by the United States or by the commonwealth, and except bridges, quays and wharves, and may prescribe penalties not exceeding one hundred dollars for every violation of such ordinances or by-laws.

Building limits in towns.

SECTION 2. In a town which accepts the provisions of this and the following section or has accepted the corresponding provisions of earlier laws, no dwelling house or other structure more than eight feet in length or breadth and seven feet in height, except detached houses or structures situated more than one hundred feet from any other building and wooden structures erected on wooden wharves, shall be built within such limits as the town may from time to time prescribe, unless made of and covered with an incombustible material or unless a license in writing is granted therefor by the selectmen for public good or necessity and recorded in the town records.

Certain structures to be deemed a common nuisance, etc.

SECTION 3. A building or structure which is erected in violation of the provisions of the preceding section shall be deemed a common nuisance without other proof thereof than proof of its unlawful construction and use; and the selectmen may abate and remove it in the same manner in which boards of health may remove nuisances under the provisions of sections sixty-seven, sixty-eight and sixty-nine of chapter seventy-five of the Revised Laws.

Inspector of buildings, duties, etc.

SECTION 4. In a city or town which accepts the provisions of this section and the six following sections, or has accepted the corresponding provisions of earlier laws, the superintendent of public buildings or such other officer as the mayor and aldermen of such city or the selectmen of such town may designate shall be inspector of buildings, and, immediately upon being informed by report or otherwise that a building or other structure or anything attached to or connected therewith in that city or town is unsafe or dangerous to life or limb, shall inspect the same; and if it appears to him to be dangerous he shall forthwith in writing notify the owner, agent or any person having an interest therein to remove it or make it safe and secure. If it appears that such structure would be specially unsafe in case

Notice of dangerous condition may be posted.

of fire, it shall be deemed dangerous within the meaning hereof, and the inspector of buildings may affix in a conspicuous place upon its exterior walls a notice of its dangerous condition, which shall not be removed or defaced without authority from him.

Time allowed for removal, etc., of unsafe structure.

Section 5. Whoever is so notified shall be allowed until twelve o'clock noon of the day following the service of the notice in which to begin the securing or removal of such structure, and he shall employ sufficient labor speedily to secure or remove it; but if the public safety so requires and if the mayor and aldermen or selectmen so order, the inspector of buildings may immediately enter upon the premises with the necessary workmen and assistants and cause such unsafe structure to be shored up, taken down or otherwise secured without delay, and a proper fence or boarding put up for the protection of passers-by.

Proceedings in case of failure of owner, etc., to remove or secure unsafe structure.

Section 6. If such owner, agent or person interested in such unsafe structure refuses or neglects to comply with the requirements of such notice within the time limited, and such structure is not secured or taken down as therein ordered, a careful survey of the premises shall be made by a board consisting in a city of the city engineer, the chief engineer of the fire department and one disinterested person to be appointed by said inspector of buildings, and in a town of a surveyor, the chief engineer of the fire department and one disinterested person to be appointed by said inspector of buildings. If there is no city engineer in such city or no chief engineer of the fire department in such city or town, the mayor and aldermen or selectmen, as the case may be, shall designate one or more officers or other suitable persons in place of the officers so named as members of said board. A report of such survey shall be made in writing and a copy thereof served on such owner, agent or any interested person.

Unsafe structure to be taken down, etc.

Section 7. If such report declares such structure to be unsafe and dangerous, and if the owner, agent or person interested continues such refusal or neglect, the inspector of buildings shall cause it to be taken down or otherwise made safe; and the costs and charges incurred shall constitute a lien upon the land upon which the building is located, and shall be enforced within the time and in the manner provided for the collection of taxes on land; and such owner or interested person shall, for every day's con-

Costs to constitute a lien, etc.

tinuance of such refusal or neglect after being so notified, forfeit to the city or town in which the structure is located not less than ten nor more than fifty dollars.

Person aggrieved may apply for a jury, etc.

SECTION 8. An owner or interested person who is aggrieved by such order may have the remedy prescribed by sections two, three and four of chapter one hundred and one of the Revised Laws; but the provisions of this section shall not prevent the city or town from recovering the forfeiture provided in the preceding section from the date of the service of the original notice, unless the order is annulled by the jury.

Notice to non-residents.

SECTION 9. If an owner or interested person lives out of the commonwealth, the said notices may be served upon him by a notary public, whose certificate of service under his notarial seal shall be sufficient evidence thereof.

Restraint of illegal construction.

SECTION 10. The supreme judicial court or the superior court shall have jurisdiction in equity to restrain the construction, alteration, repair, maintenance or use of a building or structure in violation of the provisions of any ordinance or by-law of a city or town and to order its removal or abatement as a nuisance; and to restrain the further construction, alteration or repair of a building or structure reported to be unsafe or dangerous under a survey authorized by section six of this act, until the determination of the matter, as provided in section eight of this act.

Schoolhouses in cities to be provided with fire escapes.

SECTION 11. If a schoolhouse in a city has not been provided with a safe and proper egress or other means of escape from fire, as required by this act, within six months after the written notice provided for in section twenty-eight of this act, the mayor, for the purpose of conforming to the provisions of this act relative to egresses or other means of escape from fire in schoolhouses, may, upon petition of one hundred citizens or taxpayers in such city, authorize the expenditure upon such schoolhouse of not more than fifteen per cent of the cost thereof, payable from any money in the treasury of that city which is not otherwise appropriated.

Inspection of buildings in certain cities or towns.

SECTION 12. Any inspector of the building inspection department of the district police, if called upon by the mayor and aldermen of any city, or by the selectmen of any town, which has not accepted the provisions of sections four to nine, inclusive, of this act shall inspect any building or other structure or anything attached to or connected therewith, in such city or town, which has been represented to be unsafe or dangerous to life and limb.

Section 13. If it appears to such inspector that the building or other structure, or anything attached to or connected therewith, is unsafe or dangerous to life or limb in case of fire or otherwise, he shall cause it to be removed or rendered safe and secure, in the manner provided by sections four to nine, inclusive, of this act, and may cause proceedings to be instituted under the provisions of section ten of this act. Unsafe structure to be removed, etc.

Section 14. In this act the following terms shall have the meanings respectively assigned thereto: "Inspector", a building inspector of the building inspection department of the district police. "Inspector of buildings", a building inspector of a city or town. "Supervisor of plans", an inspector of the building inspection department of the district police designated by the chief of the district police to receive the plans and specifications of all buildings to be erected, or of all buildings in which alterations are to be made, that are subject to the provisions of this act, and to act officially upon them under the direction of the deputy chief of the building inspection department of the district police. "Alteration", any changes in or addition to a building. "Repair", the reconstruction or renewal of a building or part thereof damaged by fire, settling, decay or other cause. "Story", any horizontal portion through a building between floor and ceiling of which the ceiling is six feet or more above the average grade of the sidewalk or ground adjoining. Terms defined.

Section 15. No building which is designed to be used, in whole or in part, and no building in which alteration shall be made for the purpose of using it, or continuing its use, in whole or in part, as a public building, public or private institution, schoolhouse, church, theatre, special hall, public hall, miscellaneous hall, place of assemblage or place of public resort, or as a factory, workshop or mercantile or other establishment and to have accommodations for ten or more employees, and no building more than two stories in height designed to be used above the second story, in whole or in part, and no building more than two stories in height in which alteration shall be made for the purpose of using it, or continuing its use, in whole or in part, as an office building, dormitory, hotel, family hotel, apartment house, boarding house, lodging house or tenement house, and to have eight or more rooms above said story, shall be erected, and no alteration shall be made therein, until a copy of the Construction of public buildings, etc.

plans and specifications thereof has been deposited with the supervisor of plans of the building inspection department of the district police by the person causing its erection or alteration or by the architect thereof. Such plans and specifications shall include those for heating, ventilation and sanitation, as the supervisor of plans may require. Such building shall not be so erected or altered without sufficient egresses and other means of escape from fire, properly located and constructed. The supervisor of plans may require that stairways shall be enclosed, that they shall have suitable landings, that they shall be provided with hand-rails, that egress doors and windows shall open outward and have approved hardware, that places of egress shall be properly lighted and designated, and that proper fire stops shall be provided in the floors, walls, partitions and stairways of such building. He may make such further requirements as may be necessary to prevent the spread of fire, or its communication from any steam boiler or heating apparatus therein. The certificate of approval of the supervisor of plans of such plans and specifications, endorsed with the approval of the deputy chief of the building inspection department of the district police, or a specification of requirements necessary for compliance with the provisions of this act, set forth in detail and so endorsed, shall be issued to the person causing its erection or alteration, or to the architect thereof, and a copy of the same, together with the plans, shall then be turned over to the inspector in whose district the building is to be erected or altered, who shall enforce the requirements thereof and supervise such erection or alteration. After a certificate of approval, or a specification of requirement, has been issued, no change shall be made in the plans or specification, or in the building, without the permission in writing of the supervisor of plans.

Certificate of approval.

Penalty.

SECTION 16. Whoever erects, constructs or makes alteration in a building, or an architect or other person who draws plans or specifications or superintends the erection, construction or alteration of a building, in violation of the provisions of this act, shall be punished by a fine of not less than fifty nor more than one thousand dollars.

Temporary flooring during construction.

SECTION 17. If, in the erection of an iron or steel framed building the spaces between the girders or floor beams of any floor are not filled or covered by the permanent construction of said floors before another story is added to the

building, a close plank flooring shall be placed and maintained over such spaces from the time when the beams or girders are placed in position until said permanent construction is applied; but openings protected by a strong handrailing not less than four feet high may be left through said floors for the passage of workmen or material: *provided, however*, that when such flooring cannot be used without serious interference with the work of construction, such provision shall be made to protect the workmen from falling material as the inspector shall direct. Proviso.

Section 18. In the construction of any iron or steel framed building having a clear story of twenty-five feet elevation or more, a staging with a close plank flooring shall be placed under the whole extent of the beams, girders or trusses of such story upon which iron or steel workers are working, and not more than ten feet below the under side of such beams, girders or trusses. Same subject.

Section 19. Whoever violates any provision of the two preceding sections shall be punished by a fine of not less than fifty nor more than five hundred dollars for each offence. Penalty.

Section 20. A building which is used, in whole or in part, as a public building, public or private institution, schoolhouse, church, theatre, special hall, public hall, miscellaneous hall, place of assemblage, or place of public resort, and a building in which ten or more persons are employed in a factory, workshop, mercantile or other establishment, and an office building, dormitory, hotel, family hotel, apartment house, boarding house, lodging house or tenement house which has eight or more rooms or in which ten or more persons are accommodated or lodge or reside above the second story, the owner, lessee or occupant of which is notified in writing by an inspector that the provisions of this act are deemed by him applicable thereto, shall be provided with proper egresses or other means of escape from fire, sufficient for the use of all persons accommodated, assembled, employed, lodged or resident therein; but no owner, lessee or occupant of such building shall be deemed to have violated this provision unless he has been notified in writing by such inspector what additional egresses or means of escape from fire are necessary and has neglected for thirty days, or has refused, to provide the same. The egresses and means of escape shall be kept unobstructed, in good repair and ready for use, and, if the inspector so di- Buildings to be provided with fire escapes, etc.

rects in writing, every such egress shall be properly lighted and provided with a sign having on it the word "Exit" in letters not less than five inches in height, and so made and placed as plainly to indicate to persons within the building the location of such egresses, stairways shall have suitable hand-rails, egress doors and windows shall open outwardly, and women or children shall not be employed, in a factory, workshop, mercantile or other establishment, in a room above the second story from which there is only one egress. The certificate of the inspector shall be conclusive evidence of a compliance with the said requirements. Portable seats shall not be allowed in the aisles or passageways of such buildings during any service or entertainment held therein. Stairways on the outside of the buildings shall have suitable railed landings at each story above the first, accessible at each story from doors or windows, and such landings, doors and windows shall be kept clear of ice, snow and other obstructions.

Fire extinguishers, etc.

SECTION 21. The basement and each story of a building which is subject to the provisions of the preceding section shall be supplied with means of extinguishing fire, consisting of a hose attached to a suitable water supply and capable of reaching any part of such basement or story, or of such portable apparatus as the inspector shall direct; and such appliances shall be kept at all times ready for use and in good condition.

Wooden flues, etc., prohibited.

SECTION 22. No wooden flue or air duct for heating or ventilating purposes shall be placed, or shall remain placed, in any building which is subject to the provisions of sections fifteen and twenty of this act, and no pipe for conveying hot air or steam in such building shall be placed, or shall remain placed, within one inch of any woodwork, unless protected to the satisfaction of the inspector by suitable guards or casings of incombustible material.

Construction of theatres.

SECTION 23. The audience hall in a building which is erected or designed to be used in whole or in part as a theatre or in which any change or alteration shall be made for the purpose of using it as a theatre shall not be placed above the second floor of such building. The audience hall and each gallery of every such building shall, respectively, have at least two independent exits, as far apart as may be, and if the audience hall is on the second floor, the stairways from said floor to the ground floor shall be enclosed with fire-

proof walls, and shall have no connection with the basement or first floor of the building. Every such exit shall have a width of at least twenty inches for every one hundred persons which such hall, or gallery from which it leads, is capable of holding; but two or more exits of the same aggregate width may be substituted for either of the two required exits. None of the required exits shall be less than five feet wide: *provided, however,* that the exits from a gallery capable of holding not more than one hundred and fifty persons may each be less than five feet but not less than three feet wide. Exits. Proviso.

Section 24. The wall or partition between the auditorium and stage of every theatre shall be fireproof, or fire-resisting on the stage side, for the whole width of the auditorium and the whole height of the auditorium or stage, as the inspector shall direct, and all doors in such wall or partition shall be fireproofed and provided with approved self-closing devices. The proscenium or curtain opening shall have a fire-resisting curtain of an incombustible material, properly constructed and operated by approved mechanism. There shall be one or more ventilators near the center and above the highest part of the stage, equal in area to one tenth of that of the stage floor back of the fire-resisting curtain, and arranged so as to open automatically from heat, and by a cord or cords from the stage floor, as the inspector shall direct. Fire-resisting partition, curtain, etc. Ventilators.

Section 25. Except as is otherwise provided by law, the inspectors shall from time to time examine all buildings within their respective districts which are subject to the provisions of this act. If, in the judgment of any such inspector, such building conforms to the requirements of this act for buildings of its class, he shall issue to the owner, lessee or occupant thereof, or of any portion thereof used in the manner described in section twenty of this act, a certificate to that effect, specifying the number of persons for whom the egresses and means of escape from fire are sufficient. Such certificate shall continue in force for not more than five years after its date, but so long as it continues in force it shall be conclusive evidence of a compliance by the person to whom it is issued with the provisions of this act. It shall be void if a greater number of persons than is therein specified are accommodated or employed or assemble, lodge or reside within such building or portion thereof, or if such building is used for any purposes materially different from Certificates of inspection. To be void in certain case.

the purpose or purposes for which it was used at the time of the granting thereof, or if its interior arrangement is materially altered, or if any egresses or means of escape from fire in such building at the time of granting the said certificate are rendered unavailable or are materially changed. The certificate may be revoked by such inspector at any time upon written notice to the holder thereof or to the occupant of the premises for which it was granted, and shall so be revoked if, in the opinion of the inspector, circumstances have so changed that the existing egresses and means of escape are not proper and sufficient. A copy of said certificate shall be kept posted in a conspicuous place upon each story of such building by the occupant of the premises covered thereby.

Copy to be posted.

Application for certificate.

SECTION 26. Upon application to an inspector for a certificate under the provisions of this act, he shall issue to the applicant an acknowledgment of such application, which for ninety days, pending the granting or refusal of the certificate, shall have the same effect as the certificate, and such acknowledgment may be renewed by him with the same effect for a further period, not exceeding ninety days.

Notice of change in use of building, etc.

SECTION 27. If any change in the use or otherwise shall be made upon premises for which such certificate has been issued which would render the certificate void, according to the provisions of section twenty of this act, the person who makes such change shall forthwith give written notice thereof to an inspector for the district or to the chief of the district police.

Notice of failure to conform, etc.

SECTION 28. If an inspector finds that any building or part thereof which is subject to the provisions of this act fails to conform thereto, or if any change is made therein which would render a certificate void according to the provisions of section twenty of this act, he shall give notice in writing to the owner, lessee, occupant or agent in charge thereof, specifying such additional provisions, egresses or other means of escape from fire as in his opinion may be necessary to make it conform to the provisions of this act and to obtain a certificate as aforesaid; and any such owner, lessee, occupant or agent in charge thereof, failing to comply with such notice for a period of thirty days, may be punished by a fine of not less than fifty nor more than one thousand dollars.

Penalty.

Certain sections may apply to certain

SECTION 29. Cities may by ordinance provide that the provisions of sections fifteen, sixteen, twenty to twenty-

eight, inclusive, forty-five and forty-six of this act shall apply to any building of three or more stories in height within their respective limits. buildings in cities.

Section 30. In this act, the term "theatre" shall mean a building or part of a building in which it is designed to make a business of the presentation of dramatic, operatic or other performances or shows for the entertainment of spectators, which is capable of seating more than four hundred persons, and which has a stage for such performances that can be used for scenery and other stage appliances. The term "special hall" shall mean a building or part of a building containing an audience or assembly hall capable of seating more than four hundred persons, which may be used for the occasional presentation of dramatic, operatic or other performances for the entertainment of spectators, with the use of scenery, under such conditions as the licensing officer shall direct, and for public gatherings. The term "public hall" shall mean any building, or part of a building, excluding theatres, armories, churches and schools, containing an audience or assembly hall capable of seating more than four hundred persons, and used for public gatherings, and for such entertainments, not requiring the use of scenery and other stage appliances, as the licensing officer may approve. Terms defined.

Section 31. Except in the city of Boston, the chief of the district police shall be the officer to issue licenses for theatres, special halls and public halls. He may require such changes in the structural or other condition of any building before issuing any license as in his opinion the public safety requires; but no change shall be ordered in excess of the requirements for a new building of like character under the existing law. In buildings existing when this act takes effect an equivalent of the conditions required by law may be accepted by the licensing officer: *provided, however,* that such equivalents are set forth in detail in the license. The licenses provided for herein shall be conspicuously posted near the main entrance of the theatre, special hall or public hall. Licenses for theatres shall expire on the first day of September, for special halls on the first day of August, and for public halls on the first day of July of each year. Licenses for theatres, etc. Proviso.

Section 32. The licensee shall be responsible, civilly and criminally, for non-compliance with the laws applicable to the theatre, special hall or public hall covered by his Licensee responsible for non-compliance, etc.

license, and for non-compliance with the conditions of the license. The licensing officer shall cause a complete inspection of all theatres to be made once in each month of special halls and of public halls every six months, and as much oftener as circumstances may require.

Inspection of theatres, etc.

SECTION 33. Every inspection of theatres, special halls or public halls shall cover all details relating to the condition of the building as regards the safety of life and property, and the inspector shall make a signed report as to all such details upon a tabulated inspection blank, the form of which shall be determined by the licensing officer. The forms of such blanks may be adapted to the circumstances of the class of buildings included in the provisions of section thirty of this act, but they shall be such as to enable the inspectors to report a rating on the points and in the form hereinafter specified, and shall include a detailed table of legal requirements, with a statement as to compliance or non-compliance with each. All inspectors inspecting theatres, special halls and public halls shall on the first of each week forward to the licensing officer the reports of their inspections of the previous week and shall rate each theatre, special hall or public hall on the following points in the following form: —

Reports of inspection.

Ratings.

1. Compliance with existing laws, non-compliance in any particular to be specified.

2. The following ratings of each building as to the safety of the audience, in the judgment of the inspectors, in the light of improved methods of insuring safety.

	Condition, whether poor, fair, good or excellent.	Remarks.
a. Structural condition.		
b. Facility of escape of audience.		
c. Heating apparatus.		
d. Water supply.		
e. Lighting apparatus.		
f. Condition of fire apparatus.		
g. Condition of sprinklers.		
h. Condition of fire-resisting curtain.		
i. Protection against neighborhood hazard.		
j. General condition of appliances and apparatus.		
k. General condition of stage.		
Rating as a whole.		
With regard to safety of audience.		

And such other points as in the opinion of the licensing officer may be suitable. These reports and ratings shall be signed by the inspectors, and shall give the date of the inspection with such remarks upon the condition of each theatre, special hall and public hall as may be suitable to give notice of danger or to give confidence in the safety of such buildings. After each inspection of a theatre, special hall or public hall, the inspector shall post a notice in conspicuous type near the main entrance to such theatre, special hall or public hall in the following form: — "This theatre (or special hall) (or public hall) has been inspected by inspector (name of inspector) on (date)."

Notice to be posted.

Section 34. The full inspection reports of theatres, special halls and public halls shall be kept on file by the licensing officer, but, except as hereinafter provided, they shall not be open to examination by the public until the expiration of one month from the time when they were rendered, except with the consent of the licensing officer. Every licensee shall be entitled to examine the full reports of his own building at any time. The licensing officer shall make a full report annually of the condition of all theatres, special halls and public halls, and the report shall be a public document, open to examination by the public at all times. The reports of inspectors shall be public records of matters of public interest, and a fair publication of these reports, or parts thereof, or comment thereon, by any person, in newspapers or otherwise, shall be privileged.

Reports to be kept on file, etc.

Section 35. A certified copy of all ratings and conclusions of the inspectors in respect to any licensed theatre, special hall or public hall shall be delivered or mailed by the licensing officer to the licensee at the building. If any inspector shall report that the laws or the conditions of the license are not complied with by any licensee, the licensing officer may notify the licensee, fixing a time within which he shall comply with the law and the conditions of the license. If, at the expiration of such time there has not been such compliance, the licensing officer shall give a hearing to the licensee, and if upon investigation he shall find that there is cause, he shall revoke the license. The licensing officer shall have power, if, in his opinion, the public safety requires it, to order any theatre, special hall or public hall to be closed pending a hearing upon the revocation of the license, and any person failing to comply with such order may be pun-

Certified copy of ratings, etc., to be sent to licensee.

Penalty for failure to comply with order to close theatre, etc.

ished by a fine of not less than fifty nor more than one thousand dollars.

Copy of ratings, etc., may be posted.

SECTION 36. Any licensee may post upon his premises a certified copy of the complete table of ratings and conclusions relating to the theatre, special hall or public hall covered by his license, but he shall not post an incomplete copy of such table.

Penalty for making false statement, etc.

SECTION 37. Any person having any duty to perform under the provisions of this act in connection with the licensing or inspection of theatres, special halls or public halls who wilfully makes any false statement or report or any false record of any statement, report or rating as to any such theatre, special hall or public hall shall be punished by a fine of not more than one thousand dollars or by imprisonment for not more than one year.

Penalty for offering or using free pass, etc.

SECTION 38. Any officer or person having any duty in any way connected with the inspection of theatres, special halls or public halls, who requests for himself or another, or accepts or uses any ticket or pass or privilege of admission, or admission, to any theatre, special hall or public hall, for which he is to pay or has paid either nothing or a price less than that demanded of the public generally, and any owner, proprietor, manager, lessee, agent or employee of any theatre, special hall or public hall, or any other person who issues, delivers, offers or allows any such ticket, pass, privilege or admission to any such officer or person or to any other person at the request, solicitation, procurement, or with the connivance of any such officer or person, shall be punished by a fine of not less than one hundred nor more than one thousand dollars.

"Miscellaneous hall", defined.

SECTION 39. The term "miscellaneous hall" shall mean a building or part of a building containing an audience or assembly hall capable of seating not more than four hundred persons, a society hall, or a hall in a public or private school building. The certificate of the inspector shall be conclusive evidence of a compliance with the provisions of this act for such use of a hall as he shall set forth in detail in the certificate, and shall be conspicuously posted near the main entrance of the hall.

Ventilation and sanitation.

SECTION 40. Every public building and every schoolhouse shall be kept clean and free from effluvia arising from any drain, privy or nuisance, shall be provided with a sufficient number of proper water-closets, earth closets,

or privies, and shall be ventilated in such a manner that the air shall not become so impure as to be injurious to health. If it appears to an inspector that further or different heating, ventilating or sanitary provisions are required in any public building or schoolhouse, in order to conform to the requirements of this section, and that such requirement can be provided without unreasonable expense, he may issue a written order to the proper person or authority, directing such heating, ventilating or sanitary provisions to be provided. A school committee, public officer, or person who has charge of, owns, or leases any such public building or schoolhouse, who neglects for four weeks to comply with the order of such inspector shall be punished by a fine of not more than one hundred dollars. The state inspectors of health or such other officers as the state board of health may from time to time appoint shall make such examinations of school buildings as in the opinion of said board the protection of the health of the pupils may require.

Terms defined.

Section 41. In the preceding section, "public building" shall mean any building or part thereof used as a public or private institution, church, theatre, special hall, public hall, miscellaneous hall, place of assemblage or place of public resort, and "schoolhouse" shall mean any building or part thereof in which public or private instruction is afforded to more than ten pupils at one time.

Watchmen, etc., in hotels and lodging houses.

Section 42. The keeper of a hotel, boarding or lodging house or family hotel containing one hundred or more sleeping rooms, and being four or more stories high, shall have therein at least two competent watchmen, each properly assigned, and each on duty between the hours of nine o'clock at night and six o'clock in the morning. The keeper of every hotel, boarding or lodging house or family hotel containing fifty or more sleeping rooms but less than one hundred, and being three stories high, shall have between said hours at least one competent watchman on duty therein. In all such hotels, lodging houses or family hotels, the halls, corridors and stairways shall be properly lighted at night, and a red light shall be kept during the night at the top and bottom of each flight of stairs; and one or more proper alarms or gongs, capable of being heard throughout the house, shall always remain easy of access and ready for use in every such building to give to the inmates warning of

fire. The keeper of every such hotel, boarding or lodging house or family hotel shall keep a notice descriptive of such means of escape conspicuously posted in every sleeping room.

Limitation of preceding section.

SECTION 43. The keeper of any such hotel, boarding or lodging house or family hotel, who adopts a system of electric watch clocks which register at the office the movements of the watchmen throughout the house, or who adopts a system of thermostats or fire alarm bells in the rooms, or who provides a watchman's watch with key stations, the record of which is kept at the office, shall not be required to maintain more than one watchman in addition to the regular night clerk and porters: *provided*, that the system or device so adopted or provided is approved by the inspector.

Proviso.

Further provisions may be made if necessary.

SECTION 44. The mayor and aldermen of cities and the selectmen of towns, may prescribe additional night watch to be kept and further provision for the prevention of fires and for the better protection of life in case of fire to be made by the keepers of hotels, boarding or lodging houses or family hotels within their cities and towns. Whoever neglects or refuses to comply with the provisions of this section or of the two preceding sections shall be punished by a fine of not less than fifty nor more than one thousand dollars for each offence.

Penalty.

Fire escapes in hotels, etc.

SECTION 45. The owner, lessee, proprietor or manager of a hotel which is not otherwise suitably provided with fire escapes, or of a lodging house which contains eight or more rooms above the second story, shall place or cause to be placed a knotted rope, or better appliance, for use as a fire escape in every room of such hotel or lodging house used as a sleeping room, except rooms on the ground floor. One end of such rope shall be securely fastened to a suitable iron hook or eye securely screwed into one of the timbers next adjoining the frame of a window, or into the frame of a window, of said room, at least five feet from the floor, and the rope shall at all times be kept coiled and exposed to the plain view of the occupant of the room. The coil shall be fastened in such manner as to be easily and quickly loosened and uncoiled. The rope shall contain knots not more than eighteen inches apart, a loop at the end at least three inches in length, shall not be less than one half inch in diameter, and shall be of sufficient length to reach from such iron

hook or eye to the ground. Such rope, iron hook or eye and fastenings shall be of sufficient strength to sustain a weight of four hundred pounds, and plain directions for the use of such rope or other appliance shall be printed and posted within six inches of the hook or eye to which the rope is fastened.

Inspection of hotels, etc.

SECTION 46. The inspector of buildings of each city and town, if there be any, otherwise the chief engineer of the fire department, if there be any, otherwise such person as the mayor of a city or the selectmen of a town shall designate, shall annually, in the month of April, inspect every room of every hotel and lodging house of eight or more sleeping rooms above the second story in his city or town and ascertain if the provisions of the preceding section are complied with, and shall report the condition of the rope or other appliance to the chief of the district police, upon forms to be furnished by him. Whoever violates any provision of this or the preceding section shall be punished by a fine of not more than five hundred dollars, or by imprisonment for not more than six months, or by both such fine and imprisonment.

Co-tenant, etc., may provide fire escape.

SECTION 47. If a building which is subject to the provisions of this act is owned, leased or occupied, jointly or in severalty, any owner, lessee or occupant may affix to any part of the outside wall of such building any means of egress or of escape from fire specified and described by an inspector, notwithstanding the objection of any other such owner, lessee or occupant; and such means of egress or of escape may project over the highway, or over a right-of-way for a distance not exceeding one half the width of the right-of-way.

Certificate of inspector to precede license.

SECTION 48. A license which is required by law, ordinance or by-law to authorize any building or part thereof to be used for any purpose specified in section twenty of this act shall not be granted until a license by the chief of the district police, or a certificate by an inspector, as required by the provisions of this act, shall have been issued therefor, and, when granted, shall not continue in force after the expiration of such license or certificate.

Penalty for hindering, etc., entrance of inspector, etc.

SECTION 49. Any person who hinders or prevents or attempts to prevent the chief of the district police, the deputy chief or any inspector of the building inspection department of the district police from entering any build-

ing, structure or enclosure or part thereof in the performance of his duty in the enforcement of the laws of the commonwealth relating thereto, shall be liable to a penalty of not less than fifty nor more than one hundred dollars.

Liability of owner or occupant to cause law to be observed.

SECTION 50. The owner, lessee or occupant of a theatre, factory, workshop or manufacturing establishment, or whoever owns any building or room mentioned in and subject to the provisions of sections twenty to twenty-five, inclusive, and twenty-seven of this act, or controls the use thereof, shall cause the provisions thereof to be observed, and such person or corporation shall be liable to any person injured for all damages caused by a violation of the provisions of this act. No criminal prosecution shall be begun for such violation until four weeks after notice in writing to such person or corporation has been given by an inspector of any changes necessary to be made in order to conform to the provisions of said sections, nor if such changes shall have been made in accordance with such notice. Notice to one member of a firm or to the clerk or treasurer of a corporation or to the person in charge of the building or part thereof shall be sufficient notice hereunder to all members of any firm or corporation owning, leasing or controlling the building or any part thereof. Such notice may be served personally or sent by mail.

No building to be used as a theatre without a license, etc.

SECTION 51. No person shall occupy or use any building or part thereof as a theatre, special hall, public hall, miscellaneous hall, place of assemblage or place of public resort until a license therefor has been issued by the chief of the district police, or a certificate therefor by an inspector.

Penalty.

Any person who violates any provision of this section, or the conditions of a license issued by the chief of the district police or of a certificate issued by an inspector, in accordance with the provisions of this act, shall be punished by a fine of not less than twenty-five nor more than one thousand dollars, or by imprisonment for not more than one year, and his license or certificate may be revoked.

Certain sections not to apply to city of Boston.

SECTION 52. Sections fifteen, sixteen, twenty to twenty-nine, inclusive, forty-three, forty-four, forty-seven, forty-eight, fifty and fifty-seven of this act shall not apply to the city of Boston.

General penalty.

SECTION 53. Whoever, being the owner, lessee or occupant of any building or part of a building described in section twenty violates any provision of this act for which

no other penalty is specifically prescribed shall be punished by a fine of not less than fifty nor more than five hundred dollars.

Enforcement of act.

Section 54. The provisions of this act shall be enforced by the chief of the district police and the deputy chief and inspectors of the building inspection department of the district police, and the chief of the district police shall issue such regulations as may be deemed necessary for the uniform enforcement thereof.

Persons aggrieved may appeal to judge of superior court.

Section 55. Whoever is aggrieved by the order, requirement, or direction of a building inspector of the building inspection department of the district police, may, within ten days after the service thereof, appeal to a judge of the superior court for the county in which the building to which such order, requirement or direction relates is situated, for an order forbidding its enforcement; and after such notice as said court shall order to all parties interested, a hearing may be had before the court at such early and convenient time and place as shall be fixed by said order; or the court may appoint three disinterested persons, skilled in the subject-matter of the controversy, to examine the matter and hear the parties; and the decision of said court, or the decision, in writing and under oath, of a majority of said experts, filed in the office of the clerk of courts in said county within ten days after such hearing, may alter, annul or affirm such order, requirement or direction. Such decision or a certified copy thereof shall have the same authority, force and effect as the original order, requirement or direction of the inspector. If such decision annuls or alters the order, requirement or direction of the inspector, the court shall also order the inspector not to enforce his order, requirement or direction, and in every case the certificate required by law shall thereupon be issued by said court or by said experts.

Compensation of experts, etc.

Section 56. The court may award reasonable compensation to experts appointed under the provisions of the preceding section which, if the order, requirement or direction of the inspector is altered or annulled, shall be paid by the county in which the application for an order of the court was made; otherwise, by the applicant. If the order, requirement or direction of the inspector is affirmed by the court or the experts, costs shall be taxed against the applicant for the order of the court as in civil cases, and shall be paid

into the treasury of the county in which the application for such order of the court was made.

Injunction to restrain erection, use, etc.

Section 57. The supreme judicial court or the superior court shall have jurisdiction in equity, upon the petition of an inspector, temporarily or permanently to restrain the erection, construction, alteration, use or occupation of a building in violation of the provisions of this act.

Inferior courts to have concurrent jurisdiction.

Section 58. Police, district and municipal courts shall have jurisdiction of prosecutions and proceedings of law under the provisions of this act, concurrently with the superior court.

Courts may enforce provisions of act, etc.

Section 59. Any court having equity jurisdiction may, upon the application of the chief of the district police, or the deputy chief or any inspector of the building inspection department of the district police, enforce, by any suitable process or decree, the provisions of this act and any order or requirement of any person made under authority of this act.

Restraint of illegal placing, maintenance, etc., of building, etc.

Section 60. The supreme judicial court or the superior court shall have jurisdiction in equity to restrain the illegal placing, maintenance or use of any building, structure, or other thing. It may, upon the petition of a city or town, by its attorney, for such relief, require the removal of any such building, structure or other thing by the owner, and may authorize the city or town, in default of such removal by the owner, to remove it at his expense. The provisions of this section shall apply to such buildings, structures or other things so placed which were maintained or used prior to, as well as after, the second day of May in the year eighteen hundred and ninety-nine. Upon such petition, the defendant shall be presumed to have acted without a license or authority until he proves the contrary.

Repeal.

Section 61. Sections one to eighteen, inclusive, twenty-one to twenty-six, inclusive, twenty-nine to thirty-seven, inclusive, forty-eight to fifty-six, inclusive, of chapter one hundred and four of the Revised Laws, and all amendments thereof; chapter four hundred and fifty of the acts of the year nineteen hundred and four, as amended by chapter three hundred and forty-two of the acts of the year nineteen hundred and five; chapter one hundred and five of the acts of the year nineteen hundred and six; chapter three hundred and thirty-five of the acts of the year nineteen hundred and eight, as amended by chapter one hundred and forty-three

of the acts of the year nineteen hundred and ten; chapter four hundred and eighty-seven of the acts of the year nineteen hundred and eight; chapter three hundred and eighty-nine of the acts of the year nineteen hundred and eight, as amended by chapter three hundred and fifty-four of the acts of the year nineteen hundred and nine; section seventeen, so far as it relates to the definition of "public building" and "schoolhouse"; sections ninety-seven to ninety-nine, inclusive, and section one hundred and five of chapter five hundred and fourteen of the acts of the year nineteen hundred and nine; chapter three hundred and thirty-four of the acts of the year nineteen hundred and twelve; and all acts and parts of acts inconsistent herewith, in so far as their enforcement shall apply to the chief of the district police, or the deputy chief and inspectors of the building inspection department of the district police, are hereby repealed. All provisions of this act which are the same in effect as those hereinbefore repealed shall be construed as continuations and re-enactments, and in all such cases the provisions shall take effect as of the date when they were first enacted. No repeal hereby made shall have the effect of reviving any act or part of an act heretofore repealed.

Not to revive laws heretofore repealed.

Section 62. This act shall take effect on the first day of November, nineteen hundred and thirteen.

Time of taking effect.

Approved May 15, 1913.

An Act relative to the recording of bills of sale of personal property intended as security. *Chap.* 656

Be it enacted, etc., as follows:

Section 1. The provisions of chapter one hundred and ninety-eight of the Revised Laws and acts in addition thereto and in amendment thereof relating to mortgages of personal property, shall apply to bills of sale intended for security. If the condition for redemption is in writing, it shall be recorded with and as part of such bill of sale. If the condition for redemption is oral, a written statement thereof by the mortgagee shall so be recorded.

Certain provisions of law to apply to bills of sale.

Condition to be recorded.

Section 2. This act shall take effect upon its passage.

Approved May 16, 1913.

Chap. 657 AN ACT RELATIVE TO SERVICES RENDERED BY PENSIONERS OR ANNUITANTS TO A MUNICIPALITY OR COUNTY.

Be it enacted, etc., as follows:

Pensioners of cities, etc., not to be paid for services rendered.

SECTION 1. No person who now or hereafter receives a pension or an annuity from any city or town or any county shall be paid for any service, except service as a juror, rendered by him to said city, town or county after the date of the first payment of such pension or annuity.

SECTION 2. This act shall take effect upon its passage.

Approved May 16, 1913.

Chap. 658 AN ACT TO ESTABLISH THE BARNSTABLE FIRE DISTRICT IN THE TOWN OF BARNSTABLE.

Be it enacted, etc., as follows:

Barnstable Fire District in the Town of Barnstable established.

SECTION 1. The inhabitants of Barnstable liable to taxation in that town and residing within the territory enclosed by the following boundary lines, to wit: on the north by Barnstable harbor; on the east by the boundary line between the towns of Yarmouth and Barnstable; on the south by a line parallel with, and two thousand feet distant south from, the southerly line of the old county road, now in part the Massachusetts state highway in the village of Barnstable, and on the west by a line parallel with, and in extension northerly and southerly of, the stone wall forming the easterly boundary line of the cemetery situated at the westerly end of the village of Barnstable near the house of Frank A. Loring; the same being about the present boundaries of precinct number one, so-called, in the town of Barnstable, — shall constitute a fire district, and are hereby made a body corporate by the name of Barnstable Fire District in the Town of Barnstable; and said corporation, except as herein otherwise provided, shall have all the powers and be subject to all the duties and liabilities set forth in all general laws now or hereafter in force relating to fire districts.

May make contracts for purchase of apparatus, water service, etc.

SECTION 2. The said district may make contracts for the purchase of engines and other apparatus and articles necessary for the extinguishment of fires, for hydrant and water service, for lighting its streets and other public places with gas or electricity, for the construction and maintenance

of sidewalks and for any other thing that may lawfully be done by said district.

Section 3. The prudential committee of the said district may employ and pay policemen and watchmen for the protection of property and persons and for patrolling the streets of said district.

Section 4. Said district may, at meetings called for the purpose, raise money by taxation for any of the purposes for which fire districts may, under general laws now or hereafter in force, raise money, and for all other purposes necessary or proper under the provisions of this act. May raise money by taxation, etc.

Section 5. The first meeting of said district shall be called on petition of five or more legal voters therein by warrant from the selectmen of the town of Barnstable, or from a justice of the peace directed to one of the petitioners requiring him to give notice of the meeting by posting copies of said warrant in two or more public places in said district seven days at least before the time of meeting. One of the petitioners shall preside at the meeting until a clerk is chosen and sworn, and the clerk shall preside until a moderator is chosen. The meeting may then proceed to act on the other articles contained in the warrant. First meeting.

Section 6. This act shall take effect upon its acceptance by a majority of the voters of said district present and voting thereon at a district meeting called in accordance with the provisions of section five of this act and held within two years after the passage of this act. Time of taking effect.

Approved May 16, 1913.

An Act to authorize the taking of land in the Charlestown district of the city of Boston for an armory for the naval brigade. *Chap.* 659

Be it enacted, etc., as follows:

Section 1. The whole or any part of the parcel of land, and of the land adjacent thereto, in that part of the city of Boston called Charlestown, which was the approach to the bridge known as the Charles river bridge and was discontinued under authority of section thirty of chapter five hundred and forty-eight of the acts of the year eighteen hundred and ninety-four, may be taken by the armory commissioners in accordance with the provisions of section one hundred and thirty-three of chapter six hundred Certain land in Charlestown may be taken for an armory.

and four of the acts of the year nineteen hundred and eight, as amended by chapter three hundred and twenty-three of the acts of the year nineteen hundred and nine, and by chapter six hundred and sixty-five of the acts of the year nineteen hundred and twelve, for the purpose of constructing and maintaining a state armory for the naval brigade.

Determination of value, etc.

SECTION 2. The value of any legal or equitable right or interest of the city of Boston in any land so taken shall be determined in accordance with the provisions of section one hundred and thirty-three of chapter six hundred and four of the acts of the year nineteen hundred and eight, as amended, or as may be agreed upon by the armory commissioners and the mayor of the city of Boston. Any sums paid as such compensation shall be paid into the treasury of the city of Boston as general revenue.

Repeal.

SECTION 3. All acts and parts of acts inconsistent herewith are hereby repealed.

SECTION 4. This act shall take effect upon its passage.

Approved May 16, 1913.

Chap. 660 AN ACT RELATIVE TO THE REGULATION AND SUPERVISION OF WATER COMPANIES.

Be it enacted, etc., as follows:

State board of health to furnish assistance to commissioner of corporations, relative to water companies.

SECTION 1. In all proceedings conducted by the commissioner of corporations in accordance with law relating to the petition of any water company for authorization to issue capital stock or bonds, and in all matters connected with the determination by said commissioner of any question relating thereto and before any such authorization is given, said commissioner shall require and the state board of health shall, without charge, furnish to the commissioner engineering service and advice for his assistance and guidance in such proceedings.

Water companies to file annual report.

SECTION 2. Every water company shall file with the commissioner of corporations in the month of January in each year a report, containing in such detail as the commissioner may require, a statement of its indebtedness and financial condition, and of its receipts and expenditures during the preceding calendar year, of the dividends paid and declared, with a list of names of all of its salaried officers and the amount of salary paid to each, and a statement in detail of the purpose or purposes for which the proceeds

of the capital stock and bonds of the corporation theretofore issued have been expended, and the amount so expended. Said report shall be signed and sworn to by the president, treasurer and a majority of the directors, and shall be in addition to any statement now required by law to be furnished by such company to the selectmen of any town.

Penalty.

Section 3. Any water company which neglects or fails to file the report required by section two of this act shall be subject to the penalties provided for failure to file the certificate required by section fifty-one of chapter one hundred and ten of the Revised Laws.

Approved May 16, 1913.

An Act to authorize the town of Blackstone to supply itself with water.

Chap. 661

Be it enacted, etc., as follows:

Town of Blackstone may supply itself with water.

Section 1. The town of Blackstone may supply itself and its inhabitants with water for the extinguishment of fires and for domestic and other purposes; may establish fountains and hydrants, and relocate or discontinue the same, and may regulate the use of the water and fix and collect rates to be paid therefor.

May take or acquire lands, water sources, etc.

Section 2. The said town may obtain its water supply by means of driven, artesian or other wells, or may take, or acquire by purchase or otherwise, and hold the water of any pond, stream or spring, or artesian or driven well, within the limits of the town, and the water rights connected with any such water sources, and also all lands, rights of way and easements necessary for holding and preserving the water and for conveying the same to any part of the town: *provided*, that no source of water supply for domestic purposes and no lands necessary for preserving the quality of such water shall be taken without first obtaining the advice and approval of the state board of health.

Proviso.

May erect structures, lay pipes, etc.

Said town may also erect on the land taken or held as aforesaid, proper dams, buildings, reservoirs, standpipes, tanks and other structures, and may make excavations, procure and operate machinery, and provide such other means and appliances as may be necessary for the establishment and maintenance of complete and effective water works; and may construct and lay conduits, pipes and other works under or on any lands, water courses, railroads, railways or public or private ways, and along any such ways, in such

manner as not unnecessarily to obstruct the same; and for the purpose of constructing, maintaining and repairing such conduits, pipes and other works, and for all proper purposes of this act the town may dig up any lands or ways in such manner as to cause the least hindrance to public travel. The town shall not enter upon, construct or lay any conduits, pipes or other works within the location of any railroad corporation except at such times and in such manner as it may agree upon with such corporation or in case of a failure so to agree, as may be approved by the board of railroad commissioners.

Description of lands, etc., taken to be recorded.

SECTION 3. The town shall, within ninety days after the taking of any land, rights of way, water rights, water sources or easements as aforesaid, file and cause to be recorded in the registry of deeds for the county and district within which such land or other property are situated, a description thereof sufficiently accurate for identification, with a statement of the purpose for which the same were taken, signed by the water commissioners hereinafter provided for.

Damages.

SECTION 4. The town shall pay all damages to property sustained by a person or corporation by the taking of any land, right of way, water, water source, water right or easement, or by any other thing done by the town under authority of this act. Any person or corporation sustaining damages as aforesaid, who fails to agree with the town as to the amount thereof, may have the same determined in the manner provided by law in the case of land taken for laying out highways, on application at any time within the period of two years after the taking of such land or other property or the doing of other injury under authority of this act; but no such application shall be made after the expiration of two years, and no assessment of damages upon any such application shall be made for the taking of any water, water right, or for any injury thereto, until the water is actually withdrawn or diverted by said town under the authority of this act.

Blackstone Water Loan, Act of 1913.

SECTION 5. The said town may, for the purpose of paying the necessary expenses and liabilities incurred under the provisions of this act, issue from time to time, bonds or notes, to an amount not exceeding forty thousand dollars. Such bonds or notes shall bear on their face the words, Town of Blackstone Water Loan, Act of 1913; shall be pay-

able by such annual payments, beginning not more than one year after the date thereof, as will extinguish each loan within thirty years from its date, and the amount of such annual payment of any loan in any year shall not be less than the amount of the principal of said loan payable in any subsequent year. Each authorized issue of bonds or notes shall constitute a separate loan. Said bonds or notes shall bear interest at a rate not exceeding five per cent per annum, payable semi-annually, and shall be signed by the treasurer of the town and countersigned by a majority of the selectmen. The town may sell the said securities at public or private sale, upon such terms and conditions as it may deem proper, but they shall not be sold for less than their par value, and the proceeds shall be used only for the purposes herein specified.

Payment of loan.

Section 6. Said town shall, at the time of authorizing said loan or loans, provide for the payment thereof in accordance with the provisions of section three of this act; and when a vote to that effect has been passed, a sum which, with the income derived from water rates, will be sufficient to pay the annual expense of operating its water works and the interest as it accrues on the bonds or notes issued as aforesaid by the town, and to make such payments on the principal as may be required under the provisions of this act, shall, without further vote, be assessed by the assessors of the town annually thereafter, in the same manner in which other taxes are assessed, until the debt incurred by said loan or loans is extinguished.

Town may make contracts, etc.

Section 7. The town may contract with any person or corporation for the purposes of this act, and may purchase any interest in any property which may be deemed necessary to carry out the provisions of this act, and may hold such interest and property.

Penalty for pollution, etc., of water, etc.

Section 8. Whoever wilfully or wantonly corrupts, pollutes or diverts any water taken or held by said town under this act, or destroys or injures any structure, work or other property owned, held or used by the town under the authority and for the purposes of this act shall forfeit and pay to the town three times the amount of damages assessed therefor, to be recovered in an action of tort; and upon conviction of any of the said wilful or wanton acts shall be punished by a fine not exceeding three hundred dollars or by imprisonment for a term not exceeding one year.

Water commissioners, election, terms, etc.

SECTION 9. The town shall, after its acceptance of this act at a town meeting called for the purpose, elect by ballot three persons to hold office, one until the expiration of three years, one until the expiration of two years and one until the expiration of one year from the next succeeding annual town meeting, to constitute a board of water commissioners; and at every annual town meeting thereafter one water commissioner shall be elected by ballot for a term of three years. All the authority granted to said town by this act, and not otherwise specifically provided for, shall be vested in said board of water commissioners, who shall be subject however to such instructions, rules and regulations as the town may impose by its vote. A majority of said commissioners shall constitute a quorum for the transaction of business. Any vacancy occurring in the board from any cause may be filled for the remainder of the unexpired term by the town at any town meeting called for the purpose.

Quorum.

Vacancy.

Approved May 16, 1913.

Chap. 662 AN ACT TO AUTHORIZE THE COMMONWEALTH TO CONVEY A PARCEL OF LAND IN EXCHANGE FOR LAND BELONGING TO THE CITY OF FITCHBURG.

Be it enacted, etc., as follows:

Conveyance of certain land of the commonwealth in the city of Fitchburg.

SECTION 1. For the purpose of straightening and improving parts of North and Pearl streets in the city of Fitchburg, the commissioner of education is hereby authorized, in the name and behalf of the commonwealth, to convey to the city of Fitchburg a certain parcel of land situated on the northerly side of said Pearl street and on the northwesterly side of said North street, containing fifty-three hundred and seventeen square feet of land, more or less, and delineated upon a plan entitled "Plan showing proposed changes at junction of North St. and Pearl St., Fitchburg, Mass., Oct. 1912. Scale 1 in. 40 ft.", to be recorded with the conveyance of these premises in the registry of deeds for the northern district of the county of Worcester. In consideration of this conveyance the city of Fitchburg is to convey to the commonwealth a certain parcel of land situated on the southeasterly side of said North street, containing nine hundred and fifty-six square feet of land, more or less, and delineated upon said plan; and in addition the city of Fitchburg shall on or before January first, nineteen

hundred and fourteen, regrade and macadamize that part of said North street extending from said Pearl street to the Pearl Hill road.

Section 2. This act shall take effect upon its passage.

Approved May 16, 1913.

An Act to regulate the use of air craft. *Chap.* 663

Be it enacted, etc., as follows:

Use of air craft regulated.

Section 1. It shall be unlawful for any aviator or other person to operate an aeroplane or air craft of any kind unless licensed so to do by the Massachusetts highway commission, except with a licensed pilot and then not for a distance exceeding five hundred miles. All licenses so granted shall expire on the last day of the year in which they are issued, and may be revoked at any time by the said commission. The license fee shall be five dollars; but no fee shall be charged for the issue of a new license to a person whose license is about to expire. No license shall be granted until the applicant has passed a satisfactory examination by the commission consisting of written replies to questions put to him by the commission, and of a flight to be made under the direction of an expert employed for the purpose by the commission. The questions put to the applicant shall include a test of his familiarity with such laws of the commonwealth as may be applicable to the operation of air craft. No person shall receive a license as aforesaid until it is proved to the satisfaction of the commission that he has flown not less than one hundred miles in some standard type of machine.

Licenses.

Inspection and registration of aeroplanes.

Section 2. No aeroplane shall be used until it has been inspected by an inspector employed for the purpose by the said commission, and has been approved, registered, and had a register number assigned to it by the commission. The foregoing provision of this section shall not apply to aeroplanes used solely for the purpose of experimentation when used on or over grounds specially devoted to aviation, or over an open body of water of sufficient size. The fee for registering each aeroplane shall be ten dollars. The registration number, in numerals not less than two feet high, shall be carried at all times when an aeroplane is away from its home station, and shall be so secured as to be visible from below. A registration number shall not be shifted from one

aeroplane to another except in the case of aeroplanes operated by manufacturers or dealers, in which case a special registration number shall cover any or all aeroplanes which may for the time being be controlled and operated by any such manufacturer or dealer.

Rules of the air.

Section 3. Aviators while flying over any part of the commonwealth shall conform strictly to the following rules of the air: —

a. Meeting head on: — When two aeroplanes are in danger of meeting head on, each aviator shall change his course to the right. (Note: This method of passing being in accordance with the rules of the road on land and with the United States steamboat regulations at sea.)

b. Meeting obliquely: — When two aeroplanes threaten to meet at an angle, that aeroplane which has the other on its left shall have the right of way and shall continue its course with as little deviation as possible. The aviator who finds another aeroplane approaching him from the right shall change his course in order to avoid a collision. In changing his course the aviator may pass above, below, or on either side of the aeroplane having the right of way, but in any case shall not pass within one hundred feet of the aeroplane having the right of way. (Note: By giving the right of way to the aeroplane which has the other on its left hand this rule of the air is made to correspond with marine practice.)

c. Overtaking: — One aeroplane shall be considered as overtaking another when it approaches the other from a position which is in any degree to the rear of the leading aeroplane, whether it approaches from directly astern or obliquely from the right or left, downward or upward. It shall be the duty of an aviator overtaking another aeroplane to act on the assumption that the aviator ahead of him is ignorant of the approach of the other aeroplane and may change the course of his aeroplane without warning. The overtaking aviator shall therefore be held solely responsible for avoiding a collision, which he may do by directing his course to the right or to the left, upward or downward. He shall so direct his course that the overtaking aeroplane shall not pass within one hundred and fifty feet of the overtaken aeroplane.

Altitude at which air machines may fly over certain cities and towns.

Section 4. No air machine shall fly over a city in the commonwealth at an altitude of less than three thousand

feet, and no air machine shall fly over any town or village containing less than one thousand inhabitants except at an altitude of at least five hundred feet, and no air machine shall fly over any town or village in the commonwealth containing more than five thousand inhabitants excepting at an altitude of one thousand feet.

Altitude at which air machines may fly over massed assemblies, etc.

Section 5. No aviator shall fly over any massed assembly of one hundred or more people in the open, whether such people be grouped in a grandstand or massed in an open field; and no aviator shall intentionally throw or drop any missile or other article from an aeroplane in flight except over grounds devoted to flying or over open water unless he has previously obtained the special permission of the commission.

— over buildings, etc.

Section 6. When flying over buildings, persons or animals, an aviator shall fly at such altitude as will best conduce to the safety of those below him as well as to the safety of himself and his passengers, if he be carrying passengers. He shall be held liable for injuries resulting from his flying unless he can demonstrate that he had taken every reasonable precaution to prevent such injury.

Liability for injuries.

Landings.

Section 7. Except in cases of emergency an aviator shall not land in highways or public parks or other public grounds without permission from the authorities in charge thereof. In case an aviator should land in a highway, public park, or other public ground without permission, the Massachusetts highway commission may require him to prove that the landing was an emergency landing.

Not to apply to certain military aviators.

Section 8. The foregoing sections of this act shall not apply to military aviators while in the service of the commonwealth or of the United States.

Operation of aviators, etc., licensed in other states, etc.

Section 9. The said commission may permit any aviator or aeroplane which has been duly licensed or registered in another state to operate within this commonwealth for a period not exceeding ten consecutive days without requiring such aviator to obtain a Massachusetts license or to register his aeroplane.

Applicant may appeal to highway commission.

Section 10. Any applicant for an aviator's license or for the registration of an aeroplane may appeal to the Massachusetts highway commission from any decision of an employee of the said commission. In such case the applicant shall be entitled to a hearing before the commission.

Penalties.

SECTION 11. Whoever violates any provision of this act shall be punished by a fine of not less than ten nor more than five hundred dollars, or by imprisonment for not less than one month nor more than six months, or by both such fine and imprisonment. *Approved May 16, 1913.*

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*Chap.*664 AN ACT RELATIVE TO FURNISHING THE OFFICERS AND MEN OF THE MILITIA WITH UNIFORM INSTRUCTION IN MILITARY ART.

Be it enacted, etc., as follows:

1908, 604, § 174, etc., amended.

SECTION 1. The last paragraph of section one hundred and seventy-four of chapter six hundred and four of the acts of the year nineteen hundred and eight, as amended by chapter six hundred and forty-two of the acts of the year nineteen hundred and eleven and by chapter three hundred and ninety-nine of the acts of the year nineteen hundred and twelve, is hereby further amended by striking out the word "four", in the second line, and inserting in place thereof the word: — five, — so that the last paragraph of said section will read as follows: — There shall annually be allowed and paid out of the treasury of the commonwealth a sum not exceeding five thousand dollars, to be expended under the direction of the adjutant general in furnishing the officers and men of the organized militia with uniform instruction in military authority, organization and administration and in the elements of military art. Certificates for allowance of expenses incident to such instruction shall be furnished to the adjutant general, and upon his approval payment shall be made to the person or persons certified to be entitled thereto.

Allowances for instruction in military authority, etc.

SECTION 2. This act shall take effect upon its passage. *Approved May 16, 1913.*

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*Chap.*665 AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS FOR THE COUNTY OF HAMPSHIRE TO BORROW MONEY FOR CONSTRUCTING A HOSPITAL FOR TUBERCULOUS PATIENTS.

Be it enacted, etc., as follows:

1913, 527, § 1, amended.

SECTION 1. Chapter five hundred and twenty-seven of the acts of the year nineteen hundred and thirteen is hereby amended by striking out section one and inserting

in place thereof the following: — *Section 1.* The county commissioners of the county of Hampshire are hereby authorized and directed to construct, equip and maintain an adequate hospital for the care and treatment of persons ill with tuberculosis. The hospital shall be owned by the county. For the purpose of providing for the construction, equipment and maintenance of said hospital, the county commissioners are hereby authorized to issue from time to time bonds or notes of the county to an amount not exceeding fifty thousand dollars. Each authorized issue of bonds or notes shall constitute a separate loan. Such bonds or notes shall bear on their face the words, County of Hampshire Hospital Loan, Act of 1913; shall be payable by such annual payments, beginning not more than one year after the date thereof, as will extinguish each loan within ten years from its date; and the amount of such annual payment of any loan in any year shall not be less than the amount of the principal of the loan payable in any subsequent year. The said bonds or notes shall bear interest at a rate not exceeding four and one half per cent per annum, payable semi-annually; and they shall be signed by the treasurer of the county and countersigned by a majority of the county commissioners. The county may sell the said securities at public or private sale, upon such terms and conditions as the county commissioners may deem proper, but they shall not be sold for less than their par value, and the proceeds of the sale shall be used only for the purposes specified herein and in said chapter five hundred and twenty-seven.

County of Hampshire Hospital Loan, Act of 1913.

Section 2. Said county commissioners at the time of authorizing said loan shall provide for the payment thereof in accordance with the provisions of section one of this act; and a sum sufficient to pay the interest as it accrues on the bonds or notes issued as aforesaid by the county, and to make such payments on the principal as may be required under the provisions of this act, shall be levied as a part of the county tax of the county of Hampshire annually thereafter, in the same manner in which other county taxes are levied, until the debt incurred by said loan or loans is extinguished.

Payment of loan.

Section 3. This act shall take effect upon its passage.

Approved May 16, 1913.

Chap. 666 AN ACT TO AUTHORIZE THE TOWN OF BOURNE TO APPROPRIATE MONEY FOR ADVERTISING THE ADVANTAGES AND ATTRACTIONS OF THE TOWN.

Be it enacted, etc., as follows:

Town of Bourne may appropriate money for advertising the town.

SECTION 1. The town of Bourne is hereby authorized to appropriate annually a sum of money not exceeding one thousand dollars, to be expended under the direction of the selectmen, for the purpose of promoting the interests of the town by advertising its attractions, advantages and resources.

SECTION 2. This act shall take effect upon its passage.

Approved May 16, 1913.

Chap. 667 AN ACT TO AUTHORIZE THE CITY OF BOSTON TO APPROPRIATE MONEY TO BE ADDED TO THE RENTAL OF THE EAST BOSTON TUNNEL.

Be it enacted, etc., as follows:

City of Boston may appropriate money to be added to rental of East Boston tunnel.

SECTION 1. The city of Boston may appropriate from the tax levy each year until the tenth day of June, nineteen hundred and twenty-two, the sum of one hundred and twenty-five thousand dollars to be added to the rental received from the Boston Elevated Railway Company for the lease of the East Boston tunnel: *provided,* that the holders of the bonds issued to pay for the construction of said tunnel consent to a waiver of the pledge, expressed on the face of the said bonds as one of the terms thereof, to the effect that the whole amount of the tolls collected from persons passing through said tunnel should be used to meet the principal and interest of the said bonds, and shall release the city from the said pledge.

Proviso.

Act to be submitted to voters for acceptance.

SECTION 2. This act shall be submitted to the voters of the city of Boston at the next city election and the vote shall be in answer to the following question to be placed upon the ballot: — "Shall the city of Boston be authorized to appropriate money to be added to the rental of the East Boston Tunnel?", and this act shall take effect if a majority of the voters voting thereon vote in the affirmative.

Approved May 16, 1913.

An Act to authorize the appointment by the board of free public library commissioners of a director of educational work for aliens. *Chap.* 668

Be it enacted, etc., as follows:

Director of educational work for aliens, appointment, etc.

Section 1. The board of free public library commissioners may, with the consent of the governor and council, appoint an agent or secretary to direct educational work for the benefit of the alien population of the commonwealth, at a salary of such amount, not exceeding two thousand dollars, as the governor and council may approve. The said agent may at any time be removed from office by a majority vote of the board. In case of a vacancy, temporary substitutes may be engaged on terms and conditions approved by the governor and council.

Section 2. This act shall take effect upon its passage.

Approved May 16, 1913.

An Act relative to the approval of bills against cities and towns. *Chap.* 669

Be it enacted, etc., as follows:

Duties of certain city and town officers relative to approval of bills.

Section 1. All accounts rendered to or kept in the departments of any city shall be subject to the inspection of the city auditor or officer having similar duties, and in towns they shall be subject to the inspection of the selectmen. The auditor or officer having similar duties, or the selectmen may require any person presenting for settlement an account or claim against the city or town to make oath before him or them, in such form as he or they may prescribe, as to the accuracy of such account or claim. The wilful making of a false oath shall be perjury, and punishable as such. The auditor or officer having similar duties, in cities, and the selectmen in towns, shall approve the payment of all bills or payrolls of all departments before same are paid by the treasurer, and may disallow and refuse to approve for payment, in whole or in part, any claim on the ground that it is fraudulent, unlawful or excessive, and in that case the auditor or officer having similar duties, or the selectmen, shall file with the treasurer of the city or town a written statement of the reasons for the refusal; and the treasurer shall not pay any claim or bill so disallowed.

Not to abridge certain powers of town accountants.

SECTION 2. Nothing in this act contained shall be construed as abridging the powers and authority conferred on town accountants by the provisions of chapter six hundred and twenty-four of the acts of the year nineteen hundred and ten and acts in amendment thereof.

Repeal.

SECTION 3. All provisions of law inconsistent herewith are hereby repealed.

SECTION 4. This act shall take effect upon its passage.

Approved May 16, 1913.

Chap. 670 AN ACT TO FACILITATE THE WORK OF THE STATE BOARD OF HEALTH IN THE INVESTIGATION AND PREVENTION OF INFECTIOUS OR CONTAGIOUS DISEASES.

Be it enacted, etc., as follows:

R. L. 75, § 8, amended.

Chapter seventy-five of the Revised Laws is hereby amended by striking out section eight and inserting in place thereof the following: — *Section 8.*

Investigation of contagious diseases.

If smallpox or any other contagious or infectious disease declared by the state board of health to be dangerous to the public health exists or is likely to exist in any place within the commonwealth, the state board shall make an investigation thereof and of the means of preventing the spread of the disease, and shall consult thereon with the local authorities. It shall have co-ordinate powers as a board of health, in every city and town, with the board of health thereof, or with the mayor and aldermen of a city or the selectmen of a town in which there is no such board. It may require the officers in charge of any city or state institution, charitable institution, public or private hospital, dispensary, or lying-in hospital, or any local boards of health or the physicians in any city or town to give notice of cases of any disease declared by the state board of health to be dangerous to the public health. Such notice shall be given either in the manner prescribed in sections forty-nine, fifty and fifty-two of chapter seventy-five of the Revised Laws, as amended by chapter four hundred and eighty of the acts of the year nineteen hundred and seven, or in such other manner as the state board of health may deem advisable. If any such officer, board or physician refuses or neglects to give such notice, he or they shall forfeit not less than fifty nor more than two hundred dollars for each offence.

Penalty.

Approved May 16, 1913.

An Act relative to pensioning laborers in the employ of fire districts and water districts. *Chap.* 671

Be it enacted, etc., as follows:

Section 1. Chapter five hundred and three of the acts of the year nineteen hundred and twelve, being an act relative to pensioning laborers in the employ of cities and towns, shall hereafter be held to include laborers in the employ of fire districts and water districts, and if in any city or town which hereafter accepts the provisions of the said act there is a fire district or water district, the act shall be held to apply to laborers employed by such district, and the town shall pay any pensions payable under the act to employees of the fire or water district.

Provisions of act relative to pensioning laborers to include laborers employed by fire and water districts.

Section 2. If in any city or town which has accepted the provisions of said chapter five hundred and three there was at the time of such acceptance a fire or water district, the said act shall again be submitted at the next annual state election to the voters of such city or town for their acceptance, with the understanding that the act applies to laborers in the employ of the fire or water district in the said city or town, and that, if the act is accepted, the town shall be liable to pay the pensions due to any laborers employed by such fire or water district. If at such resubmission a majority of the voters voting thereon vote to accept the act, then it shall take effect, enlarged as aforesaid, in such city or town.

Act to be submitted to voters of certain cities and towns.

Section 3. Not less than two weeks and not more than four weeks before the election at which the said chapter five hundred and three is to be resubmitted as aforesaid, the city clerk of any city concerned shall cause to be mailed to each of the registered voters in the city a copy of this act together with a statement that chapter five hundred and three, enlarged as aforesaid, is to be submitted to the voters at the coming election.

Copy of act to be sent to registered voters.

Section 4. This act shall not apply to the city of Boston.

Not to apply to Boston.

(*The foregoing was laid before the governor on the twelfth day of May, 1913, and after five days it had "the force of a law", as prescribed by the Constitution, as it was not returned by him with his objections thereto within that time.*)

Chap. 672 AN ACT TO EXTEND THE CIVIL SERVICE LAWS TO THE COLLECTING AND TREASURY DEPARTMENTS OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

Appointments in collecting and treasury departments of Boston to be subject to civil service laws, etc.

All appointments to positions in the collecting and treasury departments of the city of Boston including the county employees in said departments shall hereafter be made subject to the civil service laws, rules and regulations. An officer or employee now employed in the collecting or treasury department may be retained in his position without undergoing a civil service examination, and shall be registered upon the lists of the civil service commission in the position and class of position to which the duties that he is performing or the services which he is rendering correspond.

Approved May 19, 1913.

Chap. 673 AN ACT TO INCREASE THE POWERS AND FURTHER DEFINE THE DUTIES OF THE MINIMUM WAGE COMMISSION.

Be it enacted, etc., as follows:

1912, 706, § 5, amended.

SECTION 1. Section five of chapter seven hundred and six of the acts of the year nineteen hundred and twelve is hereby amended by striking out the words "two thirds", in the twelfth line, and inserting in place thereof the words: — a majority, — and by striking out all after the word "thereto", in the sixteenth line, so as to read as follows: — *Section 5.* The commission may transmit to each wage board all pertinent information in its possession relative to the wages paid in the occupation in question. Each wage board shall take into consideration the needs of the employees, the financial condition of the occupation and the probable effect thereon of any increase in the minimum wages paid, and shall endeavor to determine the minimum wage, whether by time rate or piece rate, suitable for a female employee of ordinary ability in the occupation in question, or for any or all of the branches thereof, and also suitable minimum wages for learners and apprentices and for minors below the age of eighteen years. When a majority of the members of a wage board shall agree upon minimum wage determinations, they shall report such determinations to the commission, together with the reasons therefor and the facts relating thereto.

Duties of wage board, etc.

Section 2. Section six of said chapter seven hundred and six is hereby amended by striking out all after the word "it", in the fourteenth line, and inserting in place thereof the following: — The commission shall thereafter publish in at least one newspaper in each county of the commonwealth a summary of its findings and of its recommendations. It shall also at such times and in such manner as it shall deem advisable publish the facts, as it may find them to be, as to the acceptance of its recommendations by the employers engaged in the industry to which any of its recommendations relate, and may publish the names of employers whom it finds to be following or refusing to follow such recommendations. An employer who files a declaration under oath in the supreme judicial court or the superior court to the effect that compliance with the recommendation of the commission would render it impossible for him to conduct his business at a reasonable profit shall be entitled to a review of said recommendation by the court under the rules of equity procedure. The burden of proving the averments of said declaration shall be upon the complainant. If, after such review, the court shall find the averments of the declaration to be sustained, it may issue an order restraining the commission from publishing the name of the complainant as one who refuses to comply with the recommendations of the commission. But such review, or any order issued by the court thereupon, shall not be an adjudication affecting the commission as to any employer other than the complainant, and shall in no way affect the right of the commission to publish the names of those employers who do comply with its recommendations. The type in which the employers' names shall be printed shall not be smaller than that in which the news matter of the paper is printed. The publication shall be attested by the signature of at least a majority of the commission, — so as to read as follows: — *Section 6.* Upon receipt of a report from a wage board, the commission shall review the same, and may approve any or all of the determinations recommended, or may disapprove any or all of them, or may recommit the subject to the same or to a new wage board. If the commission approves any or all of the determinations of the wage board it shall, after not less than fourteen days' notice to employers paying a wage less than the minimum wage approved, give a public hearing to such em-

1912, 706, § 6, amended.

Commission to review reports of wage board, etc.

ployers, and if, after such public hearing, the commission finally approves the determination, it shall enter a decree of its findings and note thereon the names of employers, so far as they may be known to the commission, who fail or refuse to accept such minimum wage and to agree to abide by it. The commission shall thereafter publish in at least one newspaper in each county of the commonwealth a summary of its findings and of its recommendations. It shall also at such times and in such manner as it shall deem advisable publish the facts, as it may find them to be, as to the acceptance of its recommendations by the employers engaged in the industry to which any of its recommendations relate, and may publish the names of employers whom it finds to be following or refusing to follow such recommendations. An employer who files a declaration under oath in the supreme judicial court or the superior court to the effect that compliance with the recommendation of the commission would render it impossible for him to conduct his business at a reasonable profit shall be entitled to a review of said recommendation by the court under the rules of equity procedure. The burden of proving the averments of said declaration shall be upon the complainant. If, after such review, the court shall find the averments of the declaration to be sustained, it may issue an order restraining the commission from publishing the name of the complainant as one who refuses to comply with the recommendations of the commission. But such review, or any order issued by the court thereupon, shall not be an adjudication affecting the commission as to any employer other than the complainant, and shall in no way affect the right of the commission to publish the names of those employers who do comply with its recommendations. The type in which the employers' names shall be printed shall not be smaller than that in which the news matter of the paper is printed. The publication shall be attested by the signature of at least a majority of the commission.

May publish certain facts, etc.

Employers entitled to review of recommendations.

1912, 706, § 13, amended.

SECTION 3. Section thirteen of said chapter seven hundred and six is hereby amended by striking out the words "twenty-five dollars", in the seventh and eighth lines, and inserting in place thereof the words: — not less than two hundred dollars and not more than one thousand dollars, — so as to read as follows: — *Section 13.* Any employer who discharges or in any other manner discriminates against any

Penalty for certain acts of employers.

employee because such employee has testified, or is about to testify, or because the employer believes that the employee may testify, in any investigation or proceeding relative to the enforcement of this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than two hundred dollars and not more than one thousand dollars for each offence.

Time of taking effect.

Section 4. This act shall take effect on the first day of July, in the year nineteen hundred and thirteen.

Approved May 19, 1913.

An Act to establish the salary of the official court stenographer for the county of Norfolk. *Chap.* 674

Be it enacted, etc., as follows:

Salary established.

Section 1. The official court stenographer for the county of Norfolk shall be paid by the county such annual salary, not exceeding two thousand dollars, as the justices of the superior court shall establish.

Repeal.

Section 2. So much of any act as is inconsistent herewith is hereby repealed.

Section 3. This act shall take effect upon its passage.

(*The foregoing was laid before the governor on the thirteenth day of May, 1913, and after five days it had "the force of a law", as prescribed by the Constitution, as it was not returned by him with his objections thereto within that time.*)

An Act to establish the salary of the physician of the reformatory for women. *Chap.* 675

Be it enacted, etc., as follows:

Salary established.

Section 1. The annual salary of the physician of the reformatory for women shall be fifteen hundred dollars. She shall devote her whole time to the service of the reformatory.

Section 2. This act shall take effect upon its passage.

Approved May 19, 1913.

An Act to require inspectors of buildings to give notice to assessors of the granting of permits. *Chap.* 676

Be it enacted, etc., as follows:

Notice to be given to assessors of granting of permits for

Section 1. The inspector of buildings in every city and town having such an officer shall give notice to the board of assessors of such city or town of the granting by

construction of building, etc.

the inspector of permits for the construction of any building therein, or for any substantial alteration therein or addition thereto. Such notice shall be in writing, shall be given within seven days after the granting of each permit, and shall state the name of the person to whom the permit was granted, and the location of the building to be constructed or altered or to which an addition is to be made.

Time of taking effect.

SECTION 2. This act shall take effect on the first day of October, nineteen hundred and thirteen.

Approved May 19, 1913.

Chap. 677 AN ACT RELATIVE TO PETITIONS FOR LEGISLATION AUTHORIZING CITIES AND TOWNS TO BORROW MONEY OUTSIDE THE STATUTORY LIMIT OF INDEBTEDNESS.

Be it enacted, etc., as follows:

Duties of director of bureau of statistics relative to petitions of cities and towns for authority to borrow money outside the debt limit.

SECTION 1. Whenever a petition is presented to the general court asking that any city or town mentioned in the petition shall have authority to borrow money outside of its statutory limit of indebtedness, the director of the bureau of statistics shall transmit to the committee of the general court to which the petition is referred information as to the financial condition of such city or town. All petitions to the legislature, with accompanying bills, of any city or town for authority to borrow money outside the statutory limit of indebtedness shall be transmitted by the committee of the legislature to which the same may be referred to the director of the bureau of statistics for information as to the financial condition of the city or town, and said director shall, as soon as possible, make a report thereon to said committee.

SECTION 2. This act shall take effect upon its passage.

Approved May 19, 1913.

Chap. 678 AN ACT RELATIVE TO THE CARRYING OR DISPLAYING OF CERTAIN FLAGS.

Be it enacted, etc., as follows:

Carrying, etc., of flags in parade regulated.

SECTION 1. No flag other than the national flag of the United States, or a state flag, or the flag of a friendly foreign nation, or of the dependencies of such a nation, shall be carried in parade within this commonwealth.

Same subject.

SECTION 2. No red or black flag, and no banner, ensign or sign having upon it any inscription opposed to organized government, or which is sacrilegious, or which may be de-

rogatory to public morals, shall be carried in parade within this commonwealth.

Section 3. Whoever violates any provision of this act may be arrested without a warrant and shall be punished for each offence by a fine of not more than one hundred dollars, or by imprisonment in the house of correction for not more than six months, or by both such fine and imprisonment. *Approved May 19, 1913.* Penalty.

An Act relative to the collection of poll taxes. *Chap.* 679

Be it enacted, etc., as follows:

Section 1. A board of assessors, from time to time in any year after their preparation of the whole or any part of the lists of male persons liable to be assessed a poll tax as provided in section fifteen of chapter five hundred and sixty of the acts of the year nineteen hundred and seven and acts in amendment thereof, may issue to the collector of taxes a certificate setting forth the names and addresses of any persons who are to be assessed a poll tax for the year in which such certificate is issued: *provided*, that no such certificate shall be issued to any collector of taxes until, conformably to law, he has given bond and has otherwise qualified himself for the performance of the duties of a collector of taxes. Assessors may issue certificate of names, etc., of persons assessed for a poll tax. Proviso.

Section 2. A collector of taxes who receives from a board of assessors the certificate provided for in section one shall forthwith proceed to collect the poll taxes from the persons entered upon such list. All provisions of law now or hereafter in force relating to the collection of taxes and to the duties and the powers of collectors of taxes shall apply, so far as may be practicable, to the collection of poll taxes from the persons whose names appear upon the certificate or certificates issued to collectors of taxes under the provisions of section one. Collection of poll taxes.

Section 3. All moneys received by collectors of taxes from the payment of poll taxes as herein provided shall be accounted for and turned over by said collectors in the manner provided by law for the accounting and turning over of collected taxes, and in the settlement of the collector for taxes committed to him by warrant he shall receive credit for moneys thus accounted for and turned over by him. Disposition of moneys received.

Not to abridge, etc., certain duties of assessors, etc.

SECTION 4. Nothing in this act shall be construed to abridge the duties of assessors for the assessment, re-assessment or abatement of taxes as now or hereafter provided by law, or to abridge or otherwise change, except as herein provided, the powers, duties and liabilities of collectors of taxes for the collection in the manner provided by law of all taxes committed to them by warrant, or to relieve any person from the payment of any taxes assessed upon him.

SECTION 5. This act shall take effect upon its passage.

Approved May 19, 1913.

Chap. 680 AN ACT RELATIVE TO SIGNS, AWNINGS AND OTHER PROJECTIONS IN PUBLIC WAYS IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

Placing of projections in public ways in city of Boston regulated.

SECTION 1. The board of street commissioners of the city of Boston is hereby authorized to grant permits, to fix the fees therefor, not exceeding one dollar for any one permit, and to make rules and regulations for the placing and maintaining of signs, advertising devices, clocks, marquees, permanent awnings, and structures projecting into, or placed on or over the public highways of said city, and to prescribe penalties for a breach thereof not exceeding five dollars for each day during which such sign, advertising device, clock, marquee, permanent awning, or structure is so placed or maintained contrary to the rules and regulations made by the board of street commissioners after five days' notice to remove the same has been given by the said board, or by a police officer of said city.

To be subject to requirements of the building commissioner.

SECTION 2. All signs, advertising devices, clocks, marquees, permanent awnings and structures authorized by the board of street commissioners as provided in the preceding section, shall, after the passage of this act, be subject to the requirements of the building commissioner of the city of Boston as to their construction and physical connection with the buildings to which they are to be attached.

Not to apply to certain poles, wires, etc.

SECTION 3. This act shall not apply to the poles, wires, conduits and appurtenances necessary to the operation of steam railroads, street railways, gas, electric light, heat and power companies, or to companies engaged in the business of transmission of intelligence by electricity or other agency.

Repeal.

SECTION 4. Chapter three hundred and fifty-two of the acts of the year eighteen hundred and ninety-five, and all

other acts and ordinances, or parts thereof, inconsistent herewith are hereby repealed.

SECTION 5. This act shall take effect three months after its passage. *Approved May 19, 1913.*

Time of taking effect.

AN ACT RELATIVE TO POLICE PENSIONS. *Chap.* 681

Be it enacted, etc., as follows:

SECTION 1. Any police officer in this commonwealth who shall hereafter be retired and pensioned under the provisions of law, and who has accepted or may accept another appointment or employment as a police officer or police official in any city or town in this commonwealth, shall cease to receive a pension during such time as he shall hold the new appointment as police officer or police official as aforesaid.

Pensions of police officers to cease in certain cases.

SECTION 2. This act shall take effect upon its passage. *Approved May 19, 1913.*

AN ACT RELATIVE TO THE SALARIES OF REGISTERS AND ASSISTANT REGISTERS OF DEEDS. *Chap.* 682

Be it enacted, etc., as follows:

SECTION 1. Chapter four hundred and fifty-two of the acts of the year nineteen hundred and four is hereby amended by striking out section two and inserting in place thereof the following: — *Section 2.* The salaries of registers of deeds and assistant registers of deeds hereinbefore specified shall be readjusted in January, nineteen hundred and fourteen, and in the month of January of each year thereafter, upon the basis of the receipts of the respective registries for the year preceding, every such readjustment to be in accordance with the classification set forth in section one.

1904, 452, § 2, amended.

Salaries to be readjusted in certain years.

SECTION 2. This act shall take effect upon its passage. *Approved May 19, 1913.*

AN ACT TO PROVIDE FOR AN ADDITIONAL WATER SUPPLY FOR THE CITY OF NEWTON. *Chap.* 683

Be it enacted, etc., as follows:

SECTION 1. The city of Newton is hereby authorized, upon the approval of the state board of health, to take water for the use of said city and the inhabitants thereof not exceeding three million gallons daily, or such portion thereof as shall be approved by the state board of health, in addi-

City of Newton may take an additional supply of water.

tion to the five million gallons daily which said city is now authorized to take by chapter three hundred and forty-four of the acts of the year eighteen hundred and seventy-two, and chapter three hundred and two of the acts of the year eighteen hundred and eighty-nine. The said additional quantity of water shall be taken from the land now owned by the city on or near Charles river.

Damages, etc.

SECTION 2. The said city shall be liable to the owner of any property injured or damaged by reason of the taking of water hereby authorized, and if the parties cannot agree upon the amount of such damage, any person or corporation whose property is so injured or damaged may have the damage assessed upon application by petition filed in the superior court in the county of Middlesex within one year after said city takes additional water under the provisions of this act, and the fact and date of such taking shall be recorded by a properly certified document in the registry of deeds for the southern district of the county of Middlesex and in the registry of deeds for the county of Norfolk.

Time of taking effect.

SECTION 3. This act shall take effect upon its acceptance by the board of aldermen of the city of Newton.

(This bill, returned by the governor to the senate, the branch in which it originated, with his objections thereto, was passed by the senate, May 13, and, in concurrence, by the house of representatives, May 19, the objections of the governor notwithstanding, in the manner prescribed by the Constitution; and thereby has the "force of a law".)

Chap. 684 AN ACT TO PROVIDE FOR AN ADDITIONAL WATER SUPPLY FOR THE TOWN OF BROOKLINE.

Be it enacted, etc., as follows:

Town of Brookline may take an additional supply of water.

SECTION 1. The town of Brookline is hereby authorized upon the approval of the state board of health, to take water for the use of the town and the inhabitants thereof, not exceeding three million gallons daily, or such portion thereof as shall be approved by the state board of health, in addition to the five million gallons daily which the town is now authorized to take by chapter three hundred and forty-three of the acts of the year eighteen hundred and seventy-two, by chapter one hundred and thirty-one of the acts of the year eighteen hundred and eighty-eight, and by chapter three hundred and ninety-one of the acts of the year nineteen hun-

dred. The said additional quantity of water shall be taken from the land now owned by the town on or near Charles river, by means of wells and galleries already upon said land or hereafter to be driven or dug therein.

Damages, etc.

Section 2. The town shall be liable to the owner of any property damaged by reason of the taking of water hereby authorized; and if the parties cannot agree upon the amount of such damage, the owner may have the damages assessed upon application by petition filed in the superior court for the county of Norfolk within one year after said town takes additional water under the provisions of this act and the fact and date of such taking shall be recorded by a properly certified document in the registry of deeds in the county of Middlesex and in the county of Norfolk.

Town of Brookline Water Loan, Act of 1913.

Section 3. Said town, for the purpose of paying the necessary expenses and liabilities incurred under the provisions of this act, may issue from time to time bonds or notes to an amount not exceeding two hundred and fifty thousand dollars in addition to the amounts heretofore authorized by law to be issued by the town for water supply purposes. Bonds or notes issued under authority of this act shall bear on their face the words, Town of Brookline Water Loan, Act of 1913; shall be payable by such annual payments, beginning not more than one year after the date of the first issue thereof, as will extinguish the loan within thirty years from the date thereof. The amount of such annual payment of the loan in any year shall not be less than the amount of the principal of the loan payable in any subsequent year. Each authorized issue of bonds or notes shall constitute a separate loan. The bonds or notes shall bear interest at a rate not exceeding four and one half per cent per annum, payable semi-annually, and shall be signed by the treasurer of the town and countersigned by a majority of the selectmen. The town may sell such bonds or notes at public or private sale, upon such terms and conditions as it may deem proper, but they shall not be sold for less than their par value.

Payment of loan.

Section 4. The town shall, at the time of authorizing the said loan or loans, provide for the payment thereof in accordance with section three of this act; and when a vote to that effect has been passed, a sum which, with the income derived from water rates, will be sufficient to pay the annual expense of operating its water works and the interest as it accrues on the bonds or notes issued as aforesaid by the town,

and to make such payments on the principal as may be required under the provisions of this act, shall, without further vote, be assessed by the assessors of the town annually thereafter, in the same manner in which other taxes are assessed, until the debt incurred by said loan or loans is extinguished.

SECTION 5. This act shall take effect upon its passage.

(*This bill, returned by the governor to the senate, the branch in which it originated, with his objections thereto, was passed by the senate, May 13, and, in concurrence, by the house of representatives, May 19, the objections of the governor notwithstanding, in the manner prescribed by the Constitution; and thereby has the "force of a law".*)

Chap. 685 AN ACT RELATIVE TO WAGES OF EMPLOYEES OF THE METROPOLITAN PARK COMMISSION AND OF THE METROPOLITAN WATER AND SEWERAGE BOARD.

Be it enacted, etc., as follows:

1911, 541, § 1, amended.

SECTION 1. Section one of chapter five hundred and forty-one of the acts of the year nineteen hundred and eleven is hereby amended by striking out, the word "twenty-five", in the fourth line, and inserting in place thereof the word: — fifty, — so as to read as follows: — *Section 1.* The wages paid by the metropolitan park commission and by the metropolitan water and sewerage board to laborers directly employed by them shall be not less than two dollars and fifty cents a day.

Wages of certain employees established.

SECTION 2. This act shall take effect upon its passage.

(*This bill, returned by the governor to the senate, the branch in which it originated, with his objections thereto, was passed by the senate, May 13, and, in concurrence, by the house of representatives, May 19, the objections of the governor notwithstanding, in the manner prescribed by the Constitution; and thereby has the "force of a law".*)

Chap. 686 AN ACT TO PROVIDE FOR THE PUBLICATION OF THE RETURNS OF VOTES CAST AT PRIMARIES.

Be it enacted, etc., as follows:

1907, 560, § 298, amended.

SECTION 1. Section two hundred and ninety-eight of chapter five hundred and sixty of the acts of the year nineteen hundred and seven is hereby amended by inserting after the word "candidate", in the ninth line, the words: — for nomination and for election, — and by inserting after the

word "office", in the same line, the words: — and for election for a state committee, — so as to read as follows: — *Section 298.* The secretary of the commonwealth shall, before the first day of February, report to the general court the number of assessed polls, the number of registered male and female voters at the date of the preceding annual state election and city or town election, and the total number of persons, male and female, who voted at each such election in every city and town, and in every voting precinct therein, and the number of votes received by each candidate for nomination and for election for a state office, and for election for a state committee, arranged by cities, towns and districts, and a concise statement of other matters relating to elections, with such suggestions as he may deem advisable. Report of number of assessed polls, etc.

Section 2. This act shall take effect upon its passage.

Approved May 20, 1913.

An Act to regulate the sale of unwholesome food. *Chap.* 687

Be it enacted, etc., as follows:

Section 1. Whoever sells or offers for sale for food or drink any diseased animal or any product thereof or any tainted, diseased, corrupt, decayed or unwholesome carcass, meat, fish, vegetables, produce, fruit or provisions of any kind, except when packed in such a container that, upon reasonable inspection, the condition of the contents thereof cannot be ascertained, without making the condition of the thing sold or offered for sale fully known to the buyer shall be punished by a fine of not more than two hundred dollars, or by imprisonment for not more than six months, or by both such fine and imprisonment. Penalty for sale, etc., of unwholesome food, etc.

Section 2. All acts and parts of acts inconsistent herewith are hereby repealed. Repeal.

Approved May 20, 1913.

An Act to facilitate the prompt payment of taxes. *Chap.* 688

Be it enacted, etc., as follows:

Section 1. Part I of chapter four hundred and ninety of the acts of the year nineteen hundred and nine is hereby amended by striking out section seventy-one and inserting in place thereof the following: — *Section 71.* Taxes shall be payable in every city and town and in every fire, water, watch or improvement district in which the same are as- 1909, 490, Part I, § 71, amended. Interest on unpaid taxes.

sessed, not later than the fifteenth day of October of each year, and on all taxes so assessed remaining unpaid after the first day of November interest shall be paid at the rate of six per cent per annum from the fifteenth day of October until such taxes are paid; but a city, town, fire, water, watch or improvement district may by vote, ordinance or by-law charge interest from an earlier date, and such interest shall be added to and be a part of the taxes.

Same subject.

SECTION 2. On all taxes of previous years remaining unpaid on the first day of January, nineteen hundred and fourteen, interest shall be charged at the rate of six per cent per annum until they are paid.

Discounts not allowed.

SECTION 3. Cities and towns shall not allow any discount to persons or corporations making payment of their taxes.

Taxes unpaid to be collected with charges, etc.

SECTION 4. If taxes assessed after this act takes effect remain unpaid for fourteen days after demand therefor, the collector shall, within one year after the first day of October in the year of the assessment, levy the tax, together with all incidental charges and fees, in the manner provided by law.

Repeal.

SECTION 5. Section seventy of Part I of chapter four hundred and ninety of the acts of the year nineteen hundred and nine, and all acts and parts of acts inconsistent herewith, are hereby repealed.

Time of taking effect.

SECTION 6. This act shall take effect on the first day of January, nineteen hundred and fifteen.

Approved May 20, 1913.

Chap. 689 AN ACT TO LIMIT THE AMOUNT OF THE INHERITANCE TAX UPON THE DETERMINATION OF AN ANNUITY OR A LIFE INTEREST.

Be it enacted, etc., as follows:

1907, 563, § 6, etc., amended.

SECTION 1. Section six of chapter five hundred and sixty-three of the acts of the year nineteen hundred and seven, codified as section six of Part IV of chapter four hundred and ninety of the acts of the year nineteen hundred and nine, as amended by section three of chapter five hundred and twenty-seven of the acts of the year nineteen hundred and nine, is hereby further amended by adding at the end thereof the words: — When an annuity or a life interest is terminated by the death of the annuitant or

Amount of certain inheritance tax limited.

life tenant, and the tax upon such interest is not due and has not been paid in advance, the value of said interest for the purposes of taxation under this act shall be the amount of the annuity or income actually paid or payable to the annuitant or life tenant during the period for which he was entitled to the annuity or was in possession of the life estate.

SECTION 2. This act shall apply to existing annuities and life interests upon which tax is not due at the date of the passage hereof. Not to apply to certain existing annuities, etc.

SECTION 3. This act shall take effect upon its passage.

Approved May 20, 1913.

AN ACT TO DEFINE THE EXTENT TO WHICH PEACEFUL PERSUASION IS PERMITTED. *Chap.* 690

Be it enacted, etc., as follows:

No person shall be punished criminally, or held liable or answerable in any action at law or in equity, for persuading or attempting to persuade by printing or otherwise any other person to do anything, or to pursue any line of conduct not unlawful or actionable or in violation of any marital or other legal duty, unless such persuasion or attempt to persuade is accompanied by injury or threat of injury to the person, property, business or occupation of the person persuaded or attempted to be persuaded, or by disorder or other unlawful conduct on the part of the person persuading or attempting to persuade, or is a part of an unlawful or actionable conspiracy. Persons not to be punished criminally for attempt to persuade, unless, etc.

(*The foregoing was laid before the governor on the fourteenth day of May, 1913, and after five days it had "the force of a law", as prescribed by the Constitution, as it was not returned by him with his objections thereto within that time.*)

AN ACT TO ESTABLISH THE SALARIES OF THE OFFICERS IN ATTENDANCE UPON THE MUNICIPAL COURT OF THE ROXBURY DISTRICT OF THE CITY OF BOSTON. *Chap.* 691

Be it enacted, etc., as follows:

SECTION 1. The officers in attendance upon the municipal court of the Roxbury district of the city of Boston shall each receive an annual salary of thirteen hundred dollars, to be Salaries established.

paid from the treasury of the county of Suffolk in monthly instalments, in full for all services performed by them.

SECTION 2. This act shall take effect upon its passage.

Approved May 21, 1913.

Chap. 692 AN ACT TO ESTABLISH THE FINANCIAL YEAR OF TOWNS.

Be it enacted, etc., as follows:

Financial year of towns established.

SECTION 1. The financial year of all towns of the commonwealth shall hereafter end on the thirty-first day of December, and the returns made to the bureau of statistics under the provisions of chapter three hundred and seventy-one of the acts of the year nineteen hundred and nine and amendments thereof shall show the financial condition of the town at the close of business on that day.

Provision for expenditures before annual appropriations are made.

SECTION 2. During the interval between the thirty-first day of December in each year and the time of making the next annual appropriations the town officers who are authorized to make expenditures may incur liabilities in carrying on the work of the several departments entrusted to them, and payments therefor shall be made from the treasury from any available funds therein, and the same shall be charged against the next annual appropriation: *provided,* that the liabilities incurred during said interval do not exceed in any month the sums spent for similar purposes during any one month of the preceding year; and *provided, further,* that said officers may expend in any one month for any officer or board created by law an amount not exceeding one twelfth of the estimated cost for said year; but all interest and debt falling due in the said interval shall be paid.

Provisos.

Time of taking effect.

SECTION 3. This act shall take effect on the first day of January, nineteen hundred and fourteen.

Approved May 21, 1913.

Chap. 693 AN ACT TO CONFIRM CERTAIN ACTS OF THE TOWN OF FALMOUTH, AND TO AUTHORIZE THE TOWN TO ESTABLISH AND MAINTAIN A PUBLIC BATHING PLACE.

Be it enacted, etc., as follows:

Certain acts of the town of Falmouth confirmed.

SECTION 1. The action taken and the votes passed by the town of Falmouth at its annual meeting held on February twentieth in the current year, appropriating the sum of five thousand dollars for the purchase of certain property

at the foot of Shore street in the village of Falmouth, known as the "casino and stone-dock" property, and the purchase of said property by the selectmen of said town, are hereby ratified and confirmed.

Town may establish and maintain public bathing place, etc.

Section 2. The town of Falmouth is hereby authorized to establish and maintain a public bathing place within said town, and to make such changes in the property purchased for this purpose, and designated in the preceding section, and to furnish such equipment and appliances, as may be necessary. The selectmen shall have the care and management of said property, and may make such rules and regulations for the conduct of said bathing place, and may establish such rates for the use of the same as they may consider necessary. The town may, at any annual meeting, transfer the care and management of said property to its board of park commissioners: *provided*, that no change shall be made in the object for which the property is held and maintained.

Proviso.

Section 3. This act shall take effect upon its passage.

Approved May 21, 1913.

An Act relative to the compilation and printing of returns made by assessors to the tax commissioner. *Chap.* 694

Be it enacted, etc., as follows:

1912, 312, § 2, amended.

Section 1. Section two of chapter three hundred and twelve of the acts of the year nineteen hundred and twelve is hereby amended by inserting after the word "compile", in the fourth line, the words: — and print, — so as to read as follows: — *Section 2.* As soon as may be after the receipt from assessors of the information furnished to him in accordance with the provisions of section one of this act the tax commissioner shall compile and print the same in the form provided by section sixty-two of said Part I and make report thereof to the general court.

Tax commissioner to compile report, etc.

Section 2. This act shall take effect upon its passage.

Approved May 21, 1913.

An Act to provide further for the widening, extension and construction of Avery street in the city of Boston. *Chap.* 695

Be it enacted, etc., as follows:

1912, 558, § 1, amended.

Section 1. Section one of chapter five hundred and fifty-eight of the acts of the year nineteen hundred and

twelve is hereby amended by adding at the end thereof the following: — The said board of street commissioners may also widen and construct Mason street, between the arm or branch thereof, extending westerly to Tremont street, and Avery street, extended as shown on the said plan, to a width substantially equal to the width of Mason street north of the said arm or branch. The said board may also widen and construct Washington street by taking and including therein a parcel of land bounded as follows: — Beginning at a point on the westerly side of Washington street on the line between the land now or late of Emeline B. Cox and the land now or late of Robert H. Gardiner and others, and running southerly about fifty-four feet to a point on the northerly side of Avery street opposite the proposed new corner of Avery street and Washington street and in line with the prolongation of the westerly side of Washington street, as it now exists, south of Avery street; thence running easterly by the northerly side of Avery street about eleven feet to the present corner of Avery and Washington streets; thence running northerly by the present westerly side of Washington street to the point of beginning. The additions and changes set forth in this section are hereby made part of the plan mentioned in section three of this act and shall be plotted thereon by the said board of street commissioners, — so as to read as follows: — *Section 1.* The board of street commissioners of the city of Boston, with the approval of the mayor, may, as hereinafter provided, widen, extend and construct Avery street from Washington street to Tremont street. The said board of street commissioners may also widen and construct Mason street, between the arm or branch thereof, extending westerly to Tremont street, and Avery street, extended as shown on the said plan, to a width substantially equal to the width of Mason street north of the said arm or branch. The said board may also widen and construct Washington street by taking and including therein a parcel of land bounded as follows: — Beginning at a point on the westerly side of Washington street on the line between the land now or late of Emeline B. Cox and the land now or late of Robert H. Gardiner and others, and running southerly about fifty-four feet to a point on the northerly side of Avery street opposite the proposed new corner of Avery street and Washington street and in line with the prolongation of the westerly side of Washington street, as it now exists, south of

Widening of Avery street in the city of Boston.

Avery street; thence running easterly by the northerly side of Avery street about eleven feet to the present corner of Avery and Washington streets; thence running northerly by the present westerly side of Washington street to the point of beginning. The additions and changes set forth in this section are hereby made part of the plan mentioned in section three of this act and shall be plotted thereon by the said board of street commissioners.

Section 2. Said chapter five hundred and fifty-eight is hereby further amended by striking out section two and inserting in place thereof the following: — *Section 2.* The laying out, widening, extension and construction of Avery street, Mason street and Washington street, as herein provided, shall be done by the board of street commissioners of the city of Boston, and in accordance with the provisions of chapter three hundred and ninety-three of the acts of the year nineteen hundred and six and acts in amendment thereof or in addition thereto, so far as they are applicable, with the following exceptions: said board shall, on the day upon which the order for making the said improvement is passed, estimate the benefit or advantage to each parcel of real estate, whether situated on said Avery street, Mason street or Washington street as widened and extended or otherwise, whether or not lying within one hundred and twenty-five feet of Avery street, Mason street or Washington street as herein authorized to be widened and extended, and whether or not situated on another way having the same general direction as said Avery street, Mason street or Washington street, which said board shall adjudge receives any benefit or advantage from the whole or a part of the improvement, beyond the general advantage to all real estate in said city. Said board, within two years after the completion of the construction of said Avery street, Mason street and Washington street, as herein provided, shall determine the value of the benefit or advantage aforesaid to each parcel of real estate, whether situated on said Avery street, Mason street or Washington street as widened and extended, or otherwise, whether or not lying within one hundred and twenty-five feet of Avery street, Mason street or Washington street as herein authorized to be widened and extended, and whether or not situated on another way having the same general direction as said Avery street, Mason street or Washington street, beyond the general advantage to all real estate in said city, from the whole or a part of the

1912, 558, § 2, amended.

Manner of widening, etc.

improvement, shall determine as the assessable cost of the improvement such part, not exceeding one half, as the board shall deem just of the expenses incurred by the city for the whole or part of the improvement, including the expense of taking land and all other expenses in laying out and constructing said streets, together with the expenses, not exceeding four dollars per linear foot of sewer, of the sewer and connections, except the expenses for surface drainage, water pipes, gas pipes and their connections, and shall assess a proportional share of said assessable cost upon the parcels of real estate determined to be specially benefited as aforesaid, but not exceeding the total amount of the benefit and advantage to every such parcel as estimated or determined as aforesaid. Except as herein provided, the provisions of said chapter three hundred and ninety-three of the acts of the year nineteen hundred and six relative to the assessment and collection of betterments shall apply to betterments assessed under this act.

1912, 558, § 3, amended.

SECTION 3. Section three of said chapter five hundred and fifty-eight is hereby amended by adding at the end thereof the words: — so far as the said plan is applicable as added to and changed by this act, — so as to read as follows: — *Section 3.* Said widening and extension shall be made in conformity with the lines shown on a plan filed with said board of street commissioners entitled "Plan of Proposed Widening and Extension of Avery Street", dated March 12, 1912, so far as the said plan is applicable as added to and changed by this act.

Plans, etc.

1912, 558, § 4, amended.

SECTION 4. Section four of said chapter five hundred and fifty-eight is hereby amended by striking out the words "two hundred and fifty", in the fifth line, and inserting in place thereof the words: — five hundred, — so as to read as follows: — *Section 4.* The treasurer of the city of Boston, to pay the expenses incurred for such widening, extension and construction, shall from time to time issue and sell negotiable bonds of the city to an amount not exceeding one million five hundred thousand dollars; and shall hold the proceeds of said bonds in the treasury of the city, and pay therefrom the expenses aforesaid. Said bonds shall not be reckoned in determining the statutory limit of indebtedness of the city.

Payment of expenses.

Time of taking effect.

SECTION 5. This act shall take effect upon its acceptance by the mayor and city council of the city of Boston.

Approved May 22, 1913.

An Act relative to the amount to be paid under the workmen's compensation act in cases of certain specified injuries. *Chap.* 696

Be it enacted, etc., as follows:

Section 1. Section eleven of Part II of chapter seven hundred and fifty-one of the acts of the year nineteen hundred and eleven, as amended by section two of chapter five hundred and seventy-one of the acts of the year nineteen hundred and twelve, and by section one of chapter four hundred and forty-five of the acts of the year nineteen hundred and thirteen, is hereby further amended by inserting the word "permanently", before the word "incapable", where it occurs in clause (*e*), and by striking out all after the word "use", in said clause, so as to read as follows: — 1911, 751, Part II, § 11, etc., amended.

Section 11. In case of the following specified injuries the amounts hereinafter named shall be paid in addition to all other compensation: Compensation in case of certain specified injuries.

(*a*) For the loss by severance of both hands at or above the wrist, or both feet at or above the ankle, or the loss of one hand and one foot, or the reduction to one tenth of normal vision in both eyes with glasses, one half of the average weekly wages of the injured person, but not more than ten dollars nor less than four dollars a week, for a period of one hundred weeks.

(*b*) For the loss by severance of either hand at or above the wrist, or either foot at or above the ankle, or the reduction to one tenth of normal vision in either eye with glasses, one half the average weekly wages of the injured person, but not more than ten dollars nor less than four dollars a week, for a period of fifty weeks.

(*c*) For the loss by severance at or above the second joint of two or more fingers, including thumbs, or toes, one half the average weekly wages of the injured person, but not more than ten dollars nor less than four dollars a week, for a period of twenty-five weeks.

(*d*) For the loss by severance of at least one phalange of a finger, thumb, or toe, one half the average weekly wages of the injured person, but not more than ten dollars nor less than four dollars a week, for a period of twelve weeks.

(*e*) The additional amounts provided for in this section in case of the loss of a hand, foot, thumb, finger or toe shall also be paid for the number of weeks above specified, in case

the injury is such that the hand, foot, thumb, finger or toe is not lost but is so injured as to be permanently incapable of use.

SECTION 2. This act shall take effect upon its passage.

Approved May 22, 1913.

Chap. 697 AN ACT RELATIVE TO PENSIONING PERMANENT AND CALL MEMBERS OF FIRE DEPARTMENTS IN CITIES.

Be it enacted, etc., as follows:

Retirement of members of fire departments in cities.

SECTION 1. The fire commissioner or commissioners, in cities having such an official, and in other cities the board of aldermen or the board or body having the powers of aldermen, in all cases with the approval of the mayor, shall retire from active service and place upon the pension roll any permanent or call member of the fire department of the city whom the city physician certifies in writing to be permanently disabled, mentally or physically, by injuries sustained or illness incurred through no fault of his in the actual performance of duty, from further performing duty as such member; or any permanent member of said department who has performed faithful service therein for not less than twenty-five years if in the judgment of said board or official such member is disabled for useful service in the department: *provided, however,* that any permanent member of said department who has performed faithful service therein for the term of twenty-five years and has attained the age of sixty years shall be retired upon his own request.

Proviso.

Pensions.

SECTION 2. Any permanent member of a fire department retired under the provisions of this act shall receive an annual pension, payable monthly, equal to one half of the annual salary or other compensation payable to him during the last year of his service. The compensation of any call member retired under the provisions of this act shall be the same as that of a permanent member of the first grade of the same department in which he served, or, if there be no grades, his compensation shall be that of a permanent member of the department performing duties like those which he performed.

Not to apply to Boston.

SECTION 3. This act shall not apply to the city of Boston.

Repeal.

SECTION 4. All acts and parts of acts inconsistent herewith are hereby repealed.

Time of taking effect.

SECTION 5. This act shall take effect in any city upon its acceptance by the city council of the city; otherwise, it shall not take effect.

Approved May 23, 1913.

An Act to authorize the town of Peabody to increase its water supply. *Chap.* 698

Be it enacted, etc., as follows:

Section 1. Subject to rights already granted or to be granted in the future by the general court, and subject to such regulations and obligations as may hereafter be prescribed or imposed by the general court, or otherwise as provided in this section and the following sections, the town of Peabody, for the purpose of increasing its water supply, may take, or acquire by purchase or otherwise, and hold, use and divert the waters of Humphrey's brook, so-called, in said town, and the tributaries of said brook, and the water rights connected therewith, and may take, or acquire by purchase or otherwise, and hold, use and divert the waters of Ipswich river at any point or points below the intersection of said Humphrey's brook with said river, and above the point of the crossing of East street over Ipswich river at or near the boundary line between the towns of Middleton and Boxford, reserving to the owners of mills on said brook or said river their right as mill owners to use such waters as shall flow to said mills and the dams connected therewith, except so far as the said town shall from time to time actually divert and use the same for the purposes named in this act: *provided*, that the town of Peabody shall not take water from Ipswich river except when the daily flow of said river at the point where said East street crosses the same, if that be the point of taking of said water, exceeds fifteen million gallons, or at the point where Humphrey's brook enters said river, if that be the point of taking said water, exceeds ten million gallons, or at an intermediate point on said river between East street crossing and the intersection of Humphrey's brook, if that be the point of taking said water, exceeds an amount less than fifteen million gallons and more than ten million gallons, which amount shall be in such proportion to fifteen million gallons as the area of the watershed of said river above the point of said taking is to the area above said East street crossing; and *provided*, that at such times said town may take the flow of said river in excess of said fifteen million gallons or said ten million gallons or said proportional amount and no more, and shall not divert from said river in any calendar year a total amount of water in excess of one billion five hundred million gallons, and shall exercise the right to take the waters of said river

Town of Peabody may take additional sources of water supply.

Provisos.

May acquire lands, etc.

only during the months of December, January, February, March, April and May; and for the purpose of building and maintaining additional dams, reservoirs, pumping plants and pipe lines, and of collecting, storing, preserving and protecting the purity of the water taken under the provisions of this act, and of conducting the same through Suntaug lake, or otherwise, to the present water supply system of the town of Peabody, and for the purpose of extending, improving and enlarging the present sources of water supply of the town of Peabody, and preserving and protecting the purity of the same, the said town may also take, or acquire by purchase or otherwise, all lands, buildings, rights of way and easements within the towns of Peabody, Danvers and Middleton which may be necessary, *provided, however,* that no sources of water supply and no lands necessary for developing the supply or for preserving the quality of the water supply of the town of Peabody shall be taken or used without first obtaining the advice and approval of the state board of health; and that the location and arrangement of all dams, reservoirs, wells, pumping and filtration plants, and such other works as may be necessary to carry out the provisions of this act, shall be subject to the approval of the state board of health, and *provided, further,* that in the manner of taking said water from said river the town shall conform to such reasonable regulations as may be established from time to time by the state board of health, and shall install such measuring and recording devices as may, in the opinion of said board, be necessary to record accurately and permanently the amount of water flowing in said river beyond said points of taking during all periods of pumping, and the amount of water so diverted by said town, and that all records so taken shall be kept on file by said board of health, and shall be open at all times to inspection by the public.

Provisos.

May erect structures, lay pipes, etc.

SECTION 2. The said town of Peabody may construct on the lands acquired and held under the provisions of this act proper dams, reservoirs, standpipes, tanks, pumping plants, buildings, fixtures and other structures, including also the establishment and maintenance of filtering beds and purification works or systems; and for the aforesaid purposes may construct, lay and maintain aqueducts, conduits, pipes, pipe lines and other works under and over any land, water courses, railroads, street or electric railways in the towns mentioned in section one, and along and under private ways

in the aforesaid towns, in such manner as not unnecessarily to obstruct the same, for the purpose of constructing, laying, maintaining, operating and repairing such conduits, pipes and other works; and for all the purposes of this act the said town of Peabody may dig up or raise and embank any such lands, highways or other ways in such manner as to cause the least hindrance to public travel on such ways; but all things done upon any such way shall be done under the direction of the selectmen of the town in which the way is situated. The town shall not enter upon, construct or lay conduits, pipes or other works within the location of any railroad corporation except at such times and in such manner as it may agree upon with such corporation, or, in case of failure so to agree, as may be approved by the board of railroad commissioners.

Description of lands, etc., taken, to be recorded, etc.

Section 3. The town of Peabody shall within ninety days after the taking of any lands, rights of way, water rights, water sources or easements as aforesaid, file and cause to be recorded in the registry of deeds for the district and county in which the same are situated, a description thereof sufficiently accurate for identification, with a statement of the purpose for which the same were taken, signed by the commissioners of public works of the town of Peabody or their successors. Upon the filing of said description and statement the title to the lands, buildings, rights of way, water rights or easements so taken shall vest in the town of Peabody.

Damages.

Section 4. The town of Peabody shall pay all damages to property sustained by any person or corporation by the taking of any land, right of way, water, water source, water right or easement, or by anything done by said town under authority of this act. Any person or corporation sustaining damages as aforesaid and failing to agree with said town as to the amount thereof may have the same determined in the manner provided by law in the case of land taken for the laying out of highways, on application, at any time within the period of two years after the taking of such land and other property, or the doing of other injury under authority of this act; but no such application shall be made after the expiration of the said two years; and no assessment of damages shall be made upon any such application for the taking of any water, water rights or any injury thereto, until the water is actually withdrawn or diverted by said town under authority of this act. The town may by vote from time to

time determine what amount of water it proposes to take and appropriate under this act, in which case any damages caused by such taking shall be based upon the said amount or quantity set forth in the description filed and recorded in accordance with section three of this act, until the same shall be increased by vote or an additional taking; and in the event of such subsequent taking or takings the town shall in each case be further liable only for the additional damages caused by the same.

Public ways flowed to be raised, etc.

SECTION 5. If the town of Peabody shall, under authority of this act, construct any reservoir in such manner as to flow any existing public way, it shall raise the way to such grade as will make it reasonably safe and convenient for travel, or shall build in place of any part of said way so flowed another suitable way which shall thereafter be a public way, with all necessary fences and culverts.

May erect poles, etc., for transmission of electricity, etc.

SECTION 6. The town of Peabody may, for the purpose of transmitting electricity for light, heat or power from its central station in Peabody to any pumping plant and buildings erected by the town of Peabody under the provisions of this act in any of the towns mentioned in section one, construct lines over the land of any person and upon, along and under the public ways and over water courses and bridges in any of the aforementioned towns; and may erect poles, piers, abutments and other fixtures, excepting bridges, which may be necessary to sustain the wires of its lines, and may connect said lines with the system of the town of Peabody for the distribution of electricity, and may transmit electricity for light, heat and power for the sole use of the town of Peabody through said lines in said aforementioned towns, and may take, or acquire by purchase or otherwise, all lands, rights of way and easements which may be necessary for the said purpose.

Town of Peabody Water Loan, Act of 1913.

SECTION 7. The town of Peabody, for the purposes aforesaid, may issue from time to time bonds, or notes to an amount not exceeding six hundred thousand dollars, in addition to the amount heretofore authorized by law to be issued by the town for the purposes named in this act. Such bonds or notes shall bear on their face the words, Town of Peabody Water Loan, Act of 1913; shall be payable by such annual payments, beginning not more than one year after the date thereof, as will extinguish each loan within thirty years from its date; and the amount of such annual payment of any

loan in any year shall not be less than the amount of the principal of said loan payable in any subsequent year. Each authorized issue of bonds or notes shall constitute a separate loan. Said bonds or notes shall bear interest at a rate not exceeding five per cent per annum, payable semi-annually, and shall be signed by the treasurer of the town and countersigned by a majority of the selectmen. The town may sell the said securities at public or private sale, upon such terms and conditions as it may deem proper, but they shall not be sold for less than their par value, and the proceeds shall be used only for the purposes herein specified.

Payment of loan.

Section 8. The said town shall, at the time of authorizing said loan or loans, provide for the payment thereof in accordance with the provisions of section seven of this act; and when a vote to that effect has been passed, a sum which, with the income derived from water rates, will be sufficient to pay the annual expense of operating its water works and the interest as it accrues on the bonds or notes issued as aforesaid by the town, and to make such payments on the principal as may be required under the provisions of this act, shall, without further vote, be assessed by the assessors of the town annually thereafter, in the same manner in which other taxes are assessed, until the debt incurred by said loan or loans is extinguished.

Penalty for pollution, etc., of water, etc.

Section 9. Whoever wilfully or wantonly corrupts, pollutes or diverts any water taken or held under this act, or injures any structure, work or other property owned, held or used by said town under authority of this act, shall forfeit and pay to the town three times the amount of the damages assessed therefor, to be recovered in an action of tort; and upon being convicted of any of the above wilful or wanton acts shall be punished by a fine not exceeding three hundred dollars, or by imprisonment for a term not exceeding one year.

Duties of commissioners of public works.

Section 10. The commissioners of public works of the town of Peabody shall manage, improve and control the land and other property purchased or acquired in any way under the provisions of this act, and shall execute, superintend and direct the performance of all the works, matters and things mentioned in this act, unless it is otherwise provided herein.

Enforcement of act, etc.

Section 11. The supreme judicial court or any justice thereof, and the superior court or any justice thereof, in term time or vacation, on the petition of the state board of health, or of any city, town, corporation, or person interested

or of any attorney of any such petitioner, shall have jurisdiction in equity or otherwise to enforce the provisions of this act and of any rule, regulation or order made under authority of this act and to prevent any violation of said provisions, rules, regulations or orders.

Not to affect right of certain municipalities.

SECTION 12. Nothing contained in this act shall prevent any municipality whose territory borders upon Ipswich river from taking from said river a supply of water for similar purposes whenever authorized by the general court so to do.

SECTION 13. This act shall take effect upon its passage.

Approved May 26, 1913.

Chap. 699 AN ACT TO AUTHORIZE THE TOWN OF DANVERS TO INCREASE ITS WATER SUPPLY.

Be it enacted, etc., as follows:

Town of Danvers may acquire additional sources of water supply.

SECTION 1. Subject to rights already granted or to be granted in the future by the general court, and subject to such regulations and obligations as may hereafter be prescribed or imposed by the general court, or otherwise as provided in this section and the following sections, the town of Danvers, for the purpose of increasing its water supply, may take or acquire by purchase or otherwise, and hold, use and divert the waters of Boston brook, so-called, in the town of Middleton, and the tributaries of said brook and the water rights connected therewith, at a point in said town not less than one half mile from the intersection of said Boston brook with the Ipswich river, so-called, reserving to the owners of mills on said brook or said river their rights as mill owners to use such waters as shall flow to said mills and the dams connected therewith, except so far as said town shall from time to time actually divert and use the same for the purposes named in this act: *provided*, that the town of Danvers shall not take water from the said Boston brook except when the daily flow of said brook at the point of taking exceeds two million gallons, and that at such times said town may take the flow of said brook in excess of two million gallons and no more, and shall exercise the right to take the waters of said brook only during the months of December, January, February, March, April and May; and for the purpose of building and maintaining additional dams, reservoirs, pumping plants and pipe lines, and of collecting, storing, preserving and protecting the purity of the water taken

Proviso.

May acquire lands, rights of way, etc.

under the provisions of this act, and conducting the same through Middleton pond or otherwise to the present water supply system of the town of Danvers; and for the purpose of extending, improving and enlarging the present sources of water supply of the town of Danvers, and preserving and protecting the purity of the same, the said town may also take, or acquire by purchase or otherwise, all lands, buildings, rights of way and easements within the town of Middleton which may be necessary; *provided, however,* that no sources of water supply and no lands necessary for developing the supply or for preserving the quality of the water supply of the town of Danvers shall be taken or used without first obtaining the advice and approval of the state board of health, and that the location and arrangement of all dams, reservoirs, wells, pumping and filtration plants, and such other works as may be necessary in carrying out the provisions of this act, shall be subject to the approval of the state board of health, and *provided, further,* that in the manner of taking said water from said brook the said town shall conform to such reasonable regulations as may be established from time to time by the state board of health; and shall install such measuring and recording devices as may, in the opinion of said board, be necessary to record accurately and permanently the amount of water flowing in said brook beyond said point of taking during all periods of pumping, and of the amount of water so diverted by said town; and that all records so taken shall be kept on file by said board and shall be open at all times to inspection by the public. Provisos.

Section 2. The town of Danvers may construct on the land acquired and held under the provisions of this act proper dams, reservoirs, standpipes, tanks, pumping plants, buildings, fixtures and other structures, including also the establishment and maintenance of filter beds and purification works or systems; and for the aforesaid purposes may construct, lay and maintain aqueducts, conduits, pipes, pipe lines and other works under and over any land, water courses, railroads, and street or electric railways in the towns mentioned in section one, and along and under private ways in the aforesaid towns, in such manner as not unnecessarily to obstruct the same; and for the purpose of constructing, laying, maintaining, operating and repairing such conduits, pipes and other works, and for all the purposes of this act, the town of Danvers may dig up or raise and embank any May erect structures, lay pipes, etc.

such lands, highways or other ways in such manner as to cause the least hindrance to public travel on such ways; but all things done upon any such ways in the town of Middleton shall be done under the direction of the selectmen of Middleton. The town of Danvers shall not enter upon, construct or lay any conduits, pipes or other works within the location of any railroad corporation except at such times and in such manner as it may agree upon with such corporation, or, in case of failure so to agree, as may be approved by the board of railroad commissioners.

Description of lands, etc., taken to be recorded, etc.

Section 3. The town of Danvers shall within ninety days after the taking of any lands, rights of way, water rights, water sources or easements as aforesaid, file and cause to be recorded in the registry of deeds for the district and county in which the same are situated, a description thereof sufficiently accurate for identification, with a statement of the purpose for which the same were taken, signed by the board of water commissioners of the town of Danvers or their successors. Upon the filing of said description and statement the title to the lands, buildings, rights of way, water rights or easements so taken shall vest in the town of Danvers.

Damages.

Section 4. The town of Danvers shall pay all damages to property sustained by any person or corporation by the taking of any land, right of way, water, water source, water right or easement, or by anything done by said town under authority of this act. Any person or corporation sustaining damages as aforesaid, and failing to agree with said town as to the amount thereof, may have the same determined in the manner provided by law in the case of land taken for the laying out of highways, on application, at any time within the period of two years after the taking of such land and other property, or the doing of other injury under authority of this act; but no such application shall be made after the expiration of the said two years; and no assessment of damages, upon any such application, shall be made for the taking of any water, water right or any injury thereto until the water is actually withdrawn or diverted by said town under authority of this act. The town may by vote from time to time determine what amount of water it proposes to take and appropriate under this act, in which case any damages caused by such taking shall be based upon the said amount or quantity set forth in the description filed and recorded in accordance with section three of this act, until the same

shall be increased by vote of an additional taking; and in the event of such subsequent taking or takings the town shall in each case be further liable only for the additional damages caused by the same.

Public ways flowed to be raised, etc.

Section 5. If the town of Danvers shall under authority of this act construct any reservoir in such manner as to flow any existing public way, it shall raise the way to such grade as will make it reasonably safe and convenient for travel, or shall build in place of any part of said way so flowed another suitable way which shall thereafter be a public way, with all necessary fences and culverts.

May erect poles, construct lines, etc., for transmission of electricity, etc.

Section 6. The town of Danvers, for the purpose of transmitting electricity for lighting, heat or power from its central station in Danvers to any pumping plant and buildings erected by the town of Danvers under the provisions of this act in the town of Middleton, may construct lines over the land of any person and upon, along and under the public ways and over water courses and bridges in the towns of Danvers, Topsfield and Middleton, and may erect poles, piers, abutments and other fixtures, except bridges, which may be necessary to sustain the wires of its lines, and may connect said lines with the system of the town of Danvers for the distribution of electricity, and may transmit electricity for lighting, heat and power purposes for the sole use of said town through said lines in the said towns, and may take, or acquire by purchase or otherwise all lands, rights of way and easements which may be necessary.

Town of Danvers Water Loan, Act of 1913.

Section 7. The town of Danvers, for the purposes aforesaid, may issue from time to time bonds or notes to an amount not exceeding two hundred thousand dollars, in addition to the amount heretofore authorized by law to be issued by the town for the purposes named in this act. Such bonds or notes shall bear on their face the words, Town of Danvers Water Loan, Act of 1913; shall be payable by such annual payments, beginning not more than one year after the date thereof, as will extinguish each loan within thirty years from its date; and the amount of such annual payment of any loan in any year shall not be less than the amount of the principal of said loan payable in any subsequent year. Each authorized issue of bonds or notes shall constitute a separate loan. Said bonds or notes shall bear interest at a rate not exceeding five per cent per annum, payable semi-annually, and shall be signed by the treasurer of the town

and countersigned by a majority of the selectmen. The town may sell the said securities at public or private sale, upon such terms and conditions as it may deem proper, but they shall not be sold for less than their par value, and the proceeds shall be used only for the purposes herein specified.

Payment of loan.

SECTION 8. Said town shall at the time of authorizing said loan or loans provide for the payment thereof in accordance with the provisions of section seven of this act; and when a vote to that effect has been passed, a sum which, with the income derived from water rates, will be sufficient to pay the annual expense of operating its water works and the interest as it accrues on the notes or bonds issued as aforesaid by the town, and to make such payments on the principal as may be required under the provisions of this act, shall, without further vote, be assessed by the assessors of the town annually thereafter, in the same manner in which other taxes are assessed, until the debt incurred by said loan or loans is extinguished.

Penalty for pollution of water, etc.

SECTION 9. Whoever wilfully or wantonly corrupts, pollutes or diverts any water taken or held under this act, or injures any structure, work or other property owned, held or used by said town under authority of this act, shall forfeit and pay to the town three times the amount of the damages assessed therefor, to be recovered in an action of tort; and upon being convicted of any of the above wilful or wanton acts shall be punished by a fine not exceeding three hundred dollars or by imprisonment for a term not exceeding one year.

Duties, etc., of water commissioners.

SECTION 10. The board of water commissioners of the town of Danvers shall manage, improve and control the land and other property purchased or acquired in any way under the provisions of this act, and shall execute, superintend and direct the performance of all the works, matters and things mentioned in this act, unless it is otherwise provided herein.

Enforcement of provisions of act, etc.

SECTION 11. The supreme judicial court or any justice thereof, and the superior court or any justice thereof, in term time or vacation, on the petition of the state board of health or of any city, town, corporation or person interested or of any attorney of any such petitioner, shall have jurisdiction in equity or otherwise to enforce the provisions of this act and of any rule, regulation or order made under authority of this act and to prevent any violation of said provisions, rules, regulations or orders.

Section 12. Nothing contained in this act shall prevent any municipality whose territory borders upon Boston brook from taking from said brook a supply of water for similar purposes whenever authorized by the general court so to do. Not to affect right of certain municipalities.

Section 13. This act shall take effect upon its passage.

Approved May 26, 1913.

An Act to provide an additional water supply for the cities of salem and beverly. *Chap.* 700

Be it enacted, etc., as follows:

Section 1. A board is hereby created which shall be known as the Salem and Beverly Water Supply Board and shall consist of three members. The director of the division of public works of the city of Salem and the chairman of the water board of the city of Beverly shall be members of said board, ex officiis. The third member shall be appointed within sixty days after the passage of this act and every three years thereafter by the governor, with the advice and consent of the council, shall not be a resident of either of said cities, or hold property, or have a usual place of business therein. He shall be appointed for a term of three years, shall be chairman, and shall receive as compensation, so long as he shall continue to be a member of said board, such sum as the board shall fix, not exceeding three thousand dollars, and not less than one thousand dollars a year. The ex officiis members shall receive no compensation. In case of a vacancy occurring in the office of the nonresident member, it shall be filled by appointment for the unexpired part of the term by the governor, with the advice and consent of the council. Said nonresident member may be removed at any time by the governor, with the consent of the council. Salem and Beverly Water Supply Board, membership, terms, etc. Vacancy.

Section 2. Said board may, from time to time, acting in behalf of said cities, make such contracts, to be jointly binding upon said cities, as it may deem necessary to carry out the purposes of this act, and may also from time to time appoint such agents, officers and servants as it may deem necessary for said purposes, and shall determine their duties and compensation, and may remove them at pleasure. May make contracts, appoint agents, etc.

Section 3. All expenses, liabilities and damages incurred by said board in carrying out the purposes of this act shall be paid, except as hereinafter provided, by said cities in the proportion of one third by the city of Beverly and two thirds Apportionment of expenses, etc.

by the city of Salem, and payment shall be made in the manner provided in section seventeen from the fund established by section sixteen hereof.

May take waters of Ipswich river, etc.

Section 4. Subject to rights already granted or to be granted in the future by the general court and subject to such regulations and obligations as may hereafter be prescribed or imposed by the general court, or otherwise as provided in this section and the following sections, said board, acting in behalf of said cities, may, for the purpose of providing a further supply of water for the use of the city of Salem and its inhabitants and of the city of Beverly and its inhabitants, take, or acquire by purchase or otherwise, the waters of the Ipswich river and its tributaries, and the water rights connected therewith, diverting said waters at a point on said river in the town of Topsfield not more than three thousand feet easterly of the Newburyport turnpike: *provided*, that said board shall not divert or take any water from said river except when the daily flow of said river at or near the point from which the water is diverted or taken shall exceed twenty million gallons; and *provided*, that at such times said board may divert and take any part or all of the flow of said river in excess of twenty million gallons and no more, and *provided, further*, that said board shall exercise the right to divert or take the water above mentioned only during the months of December, January, February, March, April and May, and shall not divert or take from said river, in the aggregate, more than twenty-five hundred million gallons of water in any one calendar year; and said board, acting in behalf of said cities, may also take, or acquire by purchase or otherwise, all lands, rights of way and easements within the towns of Topsfield, Danvers, Wenham and Hamilton and the city of Beverly which may in its opinion be necessary for collecting, storing, holding, purifying and preserving the purity of the water taken under the authority of this act, or of the present water supply of said cities or any portion of said supply, and for conveying the same to any part or parts of said cities; and may erect on the lands acquired and held under the provisions of this act proper dams, reservoirs, pumping plants, filtration beds, buildings, fixtures and structures, and may make excavations, procure and operate machinery, and provide such other means and appliances, and do such other things, as may be necessary in its opinion for the establishment and maintenance of complete and

Provisos.

May erect structures, lay pipes, etc.

effective water supply works; and for that purpose may construct and lay conduits, pipes and other works under, through or over any lands, water courses, public works, railroads, railways, public or private ways, and along such ways as it may deem necessary or advisable for taking said water and adding the same to the present water supply of said cities; and for the purpose of constructing, laying, repairing, maintaining and operating such conduits, pipes and other works, and for all purposes of this act said board may enter upon and dig up any such lands or any of such ways in such manner as to cause no unreasonable hindrance to public travel, and all things done upon any such ways shall be done subject to the direction of the selectmen of the towns and the board of aldermen of the city, respectively, in which such ways are situated; but said board shall not enter upon, construct or lay any conduits, pipes or other works within the location of any railroad corporation, except at such time and in such manner as it may agree upon with said corporation; or, in case of failure so to agree, as may be approved by the board of railroad commissioners, *provided, however,* that no lands necessary for storing the water or preserving the purity thereof shall be taken or used under the authority of this act, nor shall any dam, reservoir, filtering bed or other work for diverting, storing or improving the water be located or constructed without first obtaining the advice and approval of the state board of health, and *provided, further,* that in the manner of taking said water from said river and supplying the same to said cities the said water supply board shall conform to all such reasonable regulations as may be made from time to time by the state board of health not inconsistent herewith; and shall install such measuring and recording devices as may, in the opinion of the state board of health, be necessary accurately and permanently to record the amount of water flowing in said river beyond said point of taking during all periods of pumping; and the amount of water so diverted by said water supply board, and all records so taken shall be kept on file by the state board of health and shall be open at all times to inspection by the public. Provisos.

Section 5. The water supply board shall, within ninety days after the taking of any lands, rights of way, water, water rights or easements as aforesaid, file and cause to be recorded in the registry of deeds for the county and district within Description of property taken, to be recorded, etc.

which such lands or other property are situated a description thereof sufficiently accurate for identification, with a statement of the purposes for which the same are taken, signed by said water supply board; and the lands, rights of way, water, water rights or easements so described, as well as the works which the board is hereby authorized to construct, shall vest in said cities as tenants in common in the proportion named in section three hereof; and any land, water, water rights or easements purchased hereunder shall be conveyed to them as tenants in common in said proportion.

Damages.

SECTION 6. Said cities shall pay, in the manner herein provided, all damages to property sustained by any person or corporation by the taking of any land, right of way, water, water rights or easements, or by any other thing done by said water supply board under the authority of this act; and if said board and such person or corporation cannot agree as to the amount so to be paid, such person or corporation may, at any time within the period of two years after the taking of such land, right or other property or the doing of other injury under the authority of this act, file a petition against said cities jointly in the superior court for the county of Essex for a jury to determine said damages; and thereupon the same proceedings shall be had as are provided in case of an application to said court for a jury by persons dissatisfied with the damages awarded for land taken for laying out highways; but no such petition shall be filed after the expiration of said period of two years; but no assessment of damages shall be made for the taking of any water, water right, or for any injury thereto, and said period of two years shall not begin to run, until water is actually withdrawn or diverted by said board under the authority of this act. All damages and costs which may be agreed upon or recovered against said cities as aforesaid shall be paid in the proportion named in section three hereof.

Cities may offer specified sum as damages, etc.

SECTION 7. In every case of a petition for the assessment of damages, said cities may at any time file an offer in writing with the other papers in the case to pay to the petitioner a sum therein specified as damages, and if he does not accept the same within ten days after notice of said offer, and does not finally recover a sum greater than that offered, not including interest, the cities shall recover costs from said date, and the petitioner, if he recovers damages, shall be entitled to costs only to the date of the offer. All costs re-

covered by said cities shall be awarded to them in the proportion named in section three hereof.

Public ways flowed to be raised, etc.

Section 8. If said water supply board shall, under authority of this act, construct any reservoir in such manner as to flow any existing public way, it shall raise the way to such a grade as will make it reasonably safe and convenient for travel, or shall build in place of any part of said way so flowed another suitable way which shall thereafter be a public way, with all necessary fences and culverts, in such manner as shall be agreed upon by said board and the selectmen of the town, or the board of aldermen of the city, in which such public way is situated; or, if they cannot agree thereon, then in such manner as shall be determined by the county commissioners on application of said water supply board to them, and the county commissioners are hereby authorized and directed to adjudicate upon the same.

May establish filtration beds, etc.

Section 9. Said water supply board shall have power to, and when so required by the state board of health, shall establish filtration beds or a system of filtration for the filtering of the present water supply of said cities, or of any part thereof, and of any additional water supply taken under authority of this act, on land already owned or held by said cities bordering upon Wenham lake, so-called, which was acquired by them or either of them for the purpose of a water supply or for preserving the purity of the waters of said lake, not including any land under or within forty feet of the present pumping station of either of said cities; or said board may establish such filtration beds or system of filtration partly on land so acquired by said cities and partly on other land which it may take or acquire by purchase or otherwise under the authority of sections four and five hereof, as it may deem advisable: *provided, however,* that before said board shall proceed to establish any filtration beds or system of filtration it shall submit general plans for the same to the state board of health and receive its advice and approval before the work is begun. If said water supply board shall build said filtration beds or system wholly or partly on any land acquired by either or both of said cities as aforesaid, it shall first purchase said land from said cities or either of them, or take said land by right of eminent domain, in the manner provided in sections four and five hereof. If said board and either of said cities from which land is taken as aforesaid cannot agree as to the damages

Proviso.

Damages.

to property sustained by it by such taking, such city may file in the superior court a petition in equity for a determination of the said damages, stating the facts which entitle it to such relief, and said court, sitting in equity, shall determine the damages, which determination shall, if the petitioner so elect, be made upon the verdict of a jury rendered under issues framed by order of said court, sitting in equity, and tried as provided in section six hereof, and the damages when finally determined shall be paid in the same manner as damages determined under the provisions of section six. If said water supply board provides for the filtration of the whole water supply of said cities, it shall provide means by which such water shall be delivered and stored after filtration in a clear water basin from which alone water may be pumped by said cities to their present reservoirs. Said water supply board shall not be required or allowed, except as hereinafter provided, to provide additional facilities for the storage of all or any part of the water diverted from Ipswich river as aforesaid by the construction of an additional reservoir or reservoirs, or by the acquisition of land therefor, until such time as the state board of health shall determine that such additional facilities are necessary, at which time the state board of health shall order such construction, and upon notice from the state board of health, said water supply board shall proceed at once to the construction of such additional facilities in such manner and within such time as may be prescribed and approved by the state board of health; *provided, however*, that if, in the judgment of said water supply board, such additional facilities for storage shall at any time be necessary or advisable, said water supply board shall so report and recommend to said cities, and upon the concurrent action of both city governments approving and authorizing such construction said water supply board may proceed with the construction of such additional facilities for storage. If the two city governments do not agree as to the time when such additional facilities shall be constructed, the state board of health shall decide as hereinbefore provided.

Storage of water.

Proviso.

Powers and duties.

SECTION 10. Said water supply board shall have the care, operation and maintenance of the works constructed and used under the authority of this act, and shall also have the care and control of all of the present sources of water supply of said cities, including Wenham lake and Longham

reservoir, and shall have the enforcement of any rules and regulations now in force or hereafter made by the state board of health for the purpose of preventing the pollution and securing the purity and sanitary protection of the waters of said lake and reservoir; but each of said cities, with respect to the taking of water from said sources of water supply, the control and operation of its distributing system (pumping station, force main, reservoir and distributing pipes), the furnishing of water to its inhabitants by means of said system, and the establishing and collecting of rentals or rates for water so furnished, shall have and exercise all the rights and powers vested in it by the provisions of chapter two hundred and sixty-eight of the acts of the year eighteen hundred and sixty-four, chapter two hundred and ninety-four of the acts of the year eighteen hundred and eighty-five, chapter three hundred and sixty-four of the acts of the year eighteen hundred and ninety-three, and acts in amendment thereof or in addition thereto, so far as the same are not inconsistent with this act and may be applicable thereto.

Payment of expenses and liabilities.

Section 11. All expense or liability which said cities, or either of them, or said water supply board shall incur by reason of any defect or want of repair in any public or private way caused by the construction of the works herein authorized, or by reason of any act or omission of said board in the construction of said works, shall be paid by said cities in the proportion named in section three hereof.

City of Salem Water Loan, Act of 1913.

Section 12. The city of Salem shall, for the purpose of paying its part of the expenses incident to the acts hereby authorized or required, from time to time, on the request of said water supply board, issue bonds or notes to an amount not exceeding nine hundred thousand dollars in the aggregate, which shall be exempt from taxation in this commonwealth, and shall not be reckoned in determining the statutory limit of indebtedness. Such bonds or notes shall have an impression of the city seal, shall be signed by the treasurer of said city and countersigned by the mayor and auditor thereof; shall have on their face the words, City of Salem Water Loan, Act of 1913; and shall be payable by such annual payments, beginning not more than one year after the date thereof, as will extinguish each loan within thirty years after its date; but the amount of such annual payment of any loan in any year shall not be less than the amount of the principal of said loan payable in any subsequent year.

Each authorized issue of bonds or notes shall constitute a separate loan. Said bonds or notes shall bear interest at a rate not exceeding five per cent per annum, payable semi-annually. The city may sell such bonds or notes at public or private sale, upon such terms and conditions as it may deem proper, but they shall not be sold for less than their par value.

Payment of loan.

SECTION 13. Said city shall, at the time of authorizing said loan or loans, provide for the payment thereof in accordance with section twelve of this act; and when a vote to that effect has been passed, a sum which, with the income derived from water rates, will be sufficient to pay the annual expense of operating its water works and the interest as it accrues on the bonds or notes issued as aforesaid by the city, and to make such payments on the principal as may be required under the provisions of this act, shall without further vote be assessed by the assessors of the city annually thereafter, in the same manner in which other taxes are assessed, until the debt incurred by said loan or loans is extinguished.

City of Beverly Water Loan, Act of 1913.

SECTION 14. The city of Beverly shall, for the purpose of paying its part of the expenses incident to the acts hereby authorized or required, from time to time, on the request of said board, issue bonds or notes to an amount not exceeding four hundred and fifty thousand dollars in the aggregate, which shall be exempt from taxation in this commonwealth and shall not be reckoned in determining the statutory limit of indebtedness: *provided*, that at no time shall said city be requested to issue said bonds or notes to an amount greater or less than one half the amount so requested in the case of the city of Salem. Such bonds or notes shall have an impression of the city seal, shall be signed by the treasurer of said city and countersigned by the mayor and auditor thereof; shall have on their face the words, City of Beverly Water Loan, Act of 1913; and shall be payable by such annual payments, beginning not more than one year after the date thereof, as will extinguish each loan within thirty years after its date; but the amount of such annual payment of any loan in any year shall not be less than the amount of the principal of said loan payable in any subsequent year. Each authorized issue of bonds or notes shall constitute a separate loan. Said bonds or notes shall bear interest at a rate not exceeding five per cent per annum, payable semi-annually.

The city may sell such bonds or notes at public or private sale, upon such terms and conditions as it may deem proper, but they shall not be sold for less than their par value.

Payment of loan.

Section 15. Said city shall, at the time of authorizing said loan or loans, provide for the payment thereof in accordance with section fourteen of this act; and when a vote to that effect has been passed, a sum which, with the income derived from water rates, will be sufficient to pay the annual expense of operating its water works and the interest as it accrues on the bonds or notes issued as aforesaid by the city, and to make such payments on the principal as may be required under the provisions of this act, shall without further vote be assessed by the assessors of the city annually thereafter, in the same manner in which other taxes are assessed, until the debt incurred by said loan or loans is extinguished.

Salem and Beverly Water Supply Fund established.

Section 16. A fund is hereby established to be known as the Salem and Beverly Water Supply Fund. Said fund shall consist of the proceeds of the sale of notes or bonds issued in accordance with the authority and requirements of sections twelve, thirteen, fourteen and fifteen hereof, and of the proceeds of sales of property made under the provisions of section eighteen hereof. Said fund shall be applied by said water supply board to the payment for property taken by said board, the payment of damages agreed upon or determined as aforesaid, and the payment of the expenses of construction of works, and other payments or liabilities specified in this act, or for which payment may be made hereunder, not, however, including expenses for the maintenance, care and operation of said works, the care and control of said sources of water supply, or the salary of the nonresident member of the board.

Duties of city treasurer of Salem.

Section 17. The treasurer of the city of Salem is hereby made custodian and disbursing officer of said water supply board and of the funds herein provided for. The duties imposed upon such treasurer under this act shall be deemed to be a part of his duties as treasurer of the city of Salem, the faithful performance of which shall be duly secured by his bond to be given by him as such treasurer. Said treasurer shall receive and hold said funds in accordance with the directions of said board and shall make payments therefrom only upon orders or warrants duly signed by said board setting forth the purposes for which such disbursements are re-

quired. Such treasurer shall on or before the fifteenth day of January of each year render a report to said board showing the receipts and expenditures in connection with such fund for the preceding year and the balance if any remaining, which report shall constitute a part of the report of said board made to each of said cities in accordance with section twenty hereof.

Disposal of certain property.

SECTION 18. Said water supply board may from time to time, by public or private sale as it may deem best, dispose of any personal property no longer needed for the construction, maintenance or operation of the works authorized by this act. Said board shall collect all moneys due for property sold by it under the provisions of this section and shall pay the proceeds thereof into the fund established by section sixteen hereof.

Payment of expenses, etc.

SECTION 19. Said water supply board may incur such expenses as it may deem proper for the maintenance, care and operation of the works constructed under the authority of this act, and for the care and control of said sources of water supply; and said cities shall raise the funds necessary for paying such expenses, and for paying the salary of the nonresident member of said board, from current revenues derived from water rates or charges or receipts for the use of water, or from taxation, but not from loans; and said expenses of the maintenance, care and operation of the works, the care and control of said sources of water supply, and the salary of the nonresident member of said board, for the term of five years next following the passage of this act, shall be paid by said cities, on statements certified and approved by said water supply board, in the proportion named in section three hereof. Before the expiration of said term of five years, and every five years thereafter, said board shall, by vote determine and award the proportion in which, for the next succeeding term of five years, said cities shall pay the expenses of the maintenance, care and operation of said works, the care and control of said sources of water supply, and the salary of the nonresident member of said board, on statements certified and approved by said water supply board, and such determination and award shall be final and binding upon the parties, if there be no appeal therefrom as herein provided. Notice of such determination and award shall be given in writing by said board to the clerk of each of said cities. Either city within thirty days after the receipt of such notice from said board may appeal from such

Determination of proportion, etc.

Appeal may be taken to superior court, etc.

determination and award to the superior court sitting in equity, and the court, after notice, shall appoint three commissioners, not inhabitants of either of said cities, who shall determine the proportion in which for the next succeeding term of five years said cities shall pay the expenses of the maintenance, care and operation of said works, the care and control of said sources of supply, and the salary of the nonresident member of said board, on statements certified and approved by said water supply board, and their determination and award when accepted and confirmed by the court shall be final and binding upon the parties. Either of said cities shall have the same right of appeal to the superior court as provided herein, if said board shall fail to make a determination and award as herein provided, and any determination and award made upon such appeal shall be final and binding upon the parties as provided in case of an appeal from a determination and award of said water supply board.

Annual report, etc.

Section 20. Said water supply board shall make an annual report of its doings to each of said cities. It shall at all times keep a record of its votes, and full and accurate accounts of the authorized receipts, expenditures and disbursements under the provisions of this act, and of outstanding assets and liabilities, and shall include an abstract of the same in its annual report, together with a full account of its doings for the year.

Penalty for pollution, etc., of water, etc.

Section 21. Whoever wilfully or wantonly corrupts, pollutes, diverts or uses any of the waters taken under this act, or injures any structure, work or other property constructed by said board and held or used under the authority of and for the purposes of this act, shall forfeit and pay to said cities three times the amount of damages assessed therefor, to be recovered in an action of tort; and upon conviction of any of the above acts shall also be punished by a fine not exceeding three hundred dollars or by imprisonment not exceeding one year. Any amount recovered as a penalty or paid as a fine under the provisions of this section shall be divided between said cities in the same proportion as expenses for the maintenance, care and operation of the works and of the care and control of the sources of water supply are, at the time of the recovering of said amount, to be paid by said cities.

May supply water to certain other towns, etc.

Section 22. Said water supply board may on equitable terms furnish and sell water to the towns of Wenham and

Hamilton, or either of them, for distribution by said towns, respectively, to their inhabitants and for fire, domestic and other purposes. Full authority is hereby given to said water supply board to take or purchase such land and easements and construct such pipes, conduits and other works in the city of Beverly and towns of Wenham and Hamilton as may be necessary for the purpose of carrying out the provisions of this section; and instead of taking the water sources referred to in section two of chapter one hundred and twenty-two of the acts of the year nineteen hundred and two the said town of Hamilton may purchase water from said board to be delivered at the boundary line between Hamilton and Wenham, or at such other point as may be agreed on by said board and said town.

Enforcement of rules, regulations, etc.

SECTION 23. The supreme judicial court or any justice thereof and the superior court or any justice thereof, in term time or vacation, on the petition of the state board of health, or of any city, town, corporation, or person interested or of any attorney of any such petitioner, shall have jurisdiction in equity or otherwise to enforce the provisions of this act and of any rule, regulation or order made under authority of this act and to prevent any violation of said provisions, rules, regulations or orders.

Not to affect rights of certain municipalities.

SECTION 24. Nothing contained in this act shall prevent any municipality whose territory borders upon Ipswich river from taking from said river a supply of water for similar purposes whenever authorized by the general court so to do.

SECTION 25. This act shall take effect upon its passage.

Approved May 26, 1913.

Chap. 701 AN ACT MAKING APPROPRIATIONS FOR DEFICIENCIES IN APPROPRIATIONS FOR CERTAIN EXPENSES AUTHORIZED IN THE YEAR NINETEEN HUNDRED AND TWELVE.

Be it enacted, etc., as follows:

Appropriations.

SECTION 1. The sums hereinafter mentioned are hereby appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, for the payment of certain expenses in excess of the appropriations therefor in the year nineteen hundred and twelve, to wit: —

Monson state hospital.

For the expenses of the Monson state hospital, the sum of two hundred nine dollars and thirty cents.

State normal school at North Adams.

For the expenses of the state normal school at North Adams, the sum of seventy dollars and fifty-five cents.

For preliminary plans, specifications and estimates provided for by the acts relative to the construction and improvement of buildings at state and other institutions, the sum of sixteen hundred dollars and fifty-eight cents. Plans, specifications, etc.

For expenses in connection with the rifle practice of the militia, the sum of eight hundred forty-eight dollars and ninety-two cents. Rifle practice.

SECTION 2. This act shall take effect upon its passage.

Approved May 26, 1913.

AN ACT TO FACILITATE THE FILING OF OFFICIAL LETTERS. *Chap.*702

Be it enacted, etc., as follows:

SECTION 1. For the purpose of facilitating the filing of official letters, such letters from the several departments of the commonwealth and from officials of counties, cities and towns therein shall be written or printed, so far as may be practicable, on paper having a width of eight and one half inches and a length of eleven inches. Size of paper for official letters established.

SECTION 2. This act shall take effect on the first day of October, nineteen hundred and thirteen. Time of taking effect.

Approved May 26, 1913.

AN ACT TO PROVIDE FOR THE WIDENING OF BRIDGE STREET IN THE CITY OF SALEM. *Chap.*703

Be it enacted, etc., as follows:

SECTION 1. The city of Salem is hereby authorized to take in fee for the purpose of widening Bridge street, so-called, in that city, the following parcels of land with the structures thereon: City of Salem may take certain parcels of land for widening Bridge street.

(*a*) The whole or parts of a strip of land, not exceeding one hundred and twenty-five feet in depth, extending from the southeasterly side of Bridge street, between the point of intersection of the easterly line of Pleasant street with the southeasterly line of Bridge street, northeasterly to the point of intersection of the northerly line of Planters street with the southeasterly line of Bridge street.

(*b*) Also the whole or parts of a strip of land not exceeding one hundred and twenty-five feet in depth, extending from the southeasterly side of Bridge street, between the point of intersection of the northeasterly line of Pierce avenue with the southeasterly line of Bridge street, northeasterly to Beverly bridge.

(*c*) Also the whole or parts of a strip of land, not exceeding one hundred and twenty-five feet in depth, extending from the northwesterly side of Bridge street, beginning at a point on the northwesterly side of said Bridge street about ninety feet from the southerly intersection of Bridge and March streets, northeasterly to Beverly bridge.

Remainder of land may be sold, etc.

SECTION 2. After so much of the aforesaid land and other property as is needed has been taken and appropriated by the city for the purpose aforesaid, the city may sell the remainder for value, with or without suitable restrictions.

Expense to be borne by city in first instance.

SECTION 3. The expense of the widening and construction of said Bridge street shall, in the first instance, be borne by the city of Salem, and the city is hereby authorized and directed to borrow such sums of money as may be necessary to comply with the provisions of this act, as hereinafter provided, and the same shall not be reckoned in determining the statutory limit of indebtedness of the city.

Reimbursement of city.

SECTION 4. Upon the completion of the said work, the said city shall file in the office of the county commissioners for the county of Essex, a detailed statement certified by the city council of Salem, of the actual expense of the said widening, including the costs of construction and land damages; and upon such filing the county commissioners shall reimburse the said city on account of said expense to an amount not exceeding seventy-five thousand dollars.

County of Essex Bridge Street Loan, Act of 1913.

SECTION 5. For the purposes of this act the county commissioners of the county of Essex are hereby authorized to issue from time to time bonds or notes of said county to an amount not exceeding seventy-five thousand dollars. Such bonds or notes shall bear on their face the words, County of Essex Bridge Street Loan, Act of 1913; and shall be payable by such annual payments, beginning not more than one year after the date thereof, as will extinguish each loan within ten years from its date. The amount of such annual payment of any loan in any year shall not be less than the amount of the principal of the loan payable in any subsequent year. Each authorized issue of bonds or notes shall constitute a separate loan. Said bonds or notes shall bear interest at a rate not exceeding four and one half per cent per annum, payable semi-annually; shall be signed by the treasurer of the county and countersigned by a majority of the county commissioners. The county may sell the said securities at public or private sale, upon such terms and

conditions as it may deem proper, but they shall not be sold for less than their par value, and the proceeds shall be used only for the purpose herein provided.

Payment of loan.

Section 6. The county commissioners, at the time of authorizing said loan shall provide for the payment thereof in accordance with section five of this act; and a sum sufficient to pay the interest as it accrues on the bonds or notes issued as aforesaid by the county, and to make such payments on the principal as may be required under the provisions of this act shall be levied as a part of the county tax of the county of Essex annually thereafter, in the same manner in which other taxes are levied, until the debt incurred by said loan is extinguished.

City may borrow money, etc.

Section 7. The city of Salem is hereby authorized and directed to borrow on its notes, from time to time, for terms not exceeding two years from the date of the issue of such notes, sums not exceeding seventy-five thousand dollars in anticipation of said reimbursement from the county commissioners, and specifically payable from the money so to be received from the county commissioners.

City of Salem Bridge Street Loan, Act of 1913.

Section 8. All moneys received from the sale of lands in accordance with the provisions of section two of this act, shall be applied in payment of the cost of said widening and construction, or of the debt incurred thereby; and the city for the purpose of paying the necessary expenses and liabilities incurred, in addition to the amounts received from the sale of land and from the county commissioners, may issue from time to time bonds or notes to such an amount as may be required not exceeding one hundred thousand dollars. Bonds or notes issued under authority of this section shall bear on their face the words, City of Salem Bridge Street Loan, Act of 1913; shall be payable by such annual payments, beginning not more than one year after the date thereof, as will extinguish each loan within ten years from its date; and the amount of such annual payment of any loan in any year shall not be less than the amount of the principal of the loan payable in any subsequent year. Each authorized issue of bonds or notes shall constitute a separate loan. Said bonds or notes shall bear interest at a rate not exceeding four and one half per cent per annum, payable semi-annually; and shall be signed by the treasurer of the city and countersigned by the mayor. The city may sell the said securities at public or private sale, upon such

terms and conditions as it may deem proper, but they shall not be sold for less than their par value, and the proceeds shall be used only for the purpose herein specified.

Payment of loan.

SECTION 9. The said city shall, at the time of authorizing the said loan or loans, provide for the payment thereof in accordance with section eight of this act; and when a vote to that effect has been passed, a sum sufficient to pay the interest as it accrues on the bonds or notes issued as aforesaid by the city, and to make such payments on the principal as may be required under the provisions of this act, shall, without further vote, be assessed by the assessors of the city annually thereafter, in the same manner in which other taxes are assessed, until the debt incurred by said loan or loans is extinguished.

Time for completion.

SECTION 10. The widening and construction of Bridge street provided for by this act shall be completed within five years after the passage of this act.

SECTION 11. This act shall take effect upon its passage.

Approved May 27, 1913.

Chap. 704 AN ACT RELATIVE TO THE CONSTRUCTION, ALTERATION AND MAINTENANCE OF BUILDINGS IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

1907, 550, § 1, amended.

SECTION 1. The fourth paragraph of section one of chapter five hundred and fifty of the acts of the year nineteen hundred and seven is hereby amended by striking out all of said paragraph after the first sentence and inserting in place thereof the following: — No officer or employee connected with the department shall be interested in the doing of work or furnishing material or appliances for the construction, alteration or maintenance of any building or in the making of plans or specifications therefor, unless he is the owner thereof or a member of a board within the building department. No such officer or employee shall be engaged in any work which is inconsistent with his duties or with the interests of the department, — so that said paragraph will read as follows: — The commissioner may appoint as his deputy an inspector in the department who shall, during the absence or disability of the commissioner, exercise all the powers of the commissioner. No officer or employee connected with the department shall be interested in the doing of work or furnishing material or appliances for the

Deputy inspector.

Officers and employees not to be interested in construction, etc.,

construction, alteration or maintenance of any building or in the making of plans or specifications therefor, unless he is the owner thereof or a member of a board within the building department. No such officer or employee shall be engaged in any work which is inconsistent with his duties or with the interests of the department. of any building, unless, etc.

Section 2. Section forty of said chapter five hundred and fifty is hereby amended by adding at the end thereof the following paragraph: — No wooden building hereafter erected to be used in whole or in part as a house of habitation shall exceed twenty-two hundred square feet in area; and no such existing building shall be altered or enlarged to exceed twenty-two hundred square feet in area. No wooden building hereafter erected to be used for other purposes than habitation shall exceed forty feet in height, and no such building shall exceed twenty-two hundred feet in area unless the external parts are covered with incombustible material to the satisfaction of the commissioner, and no such building shall exceed five thousand square feet in area in any event: *provided, however,* that nothing in this section shall be construed to affect the provisions of section nine of this act; and no such existing building shall be altered or enlarged to exceed forty feet in height; nor shall any such building be altered or enlarged to exceed twenty-two hundred square feet in area unless the external parts are covered with incombustible material to the satisfaction of the commissioner; nor to exceed five thousand square feet in area in any event, — so as to read as follows: — *Section 40.* No wooden building hereafter erected to be used as a habitation shall be more than three stories in height above the basement, nor more than forty-five feet in height above the street level, nor shall any part of such building, except the eaves and cornice, be nearer than three feet to the line of any adjoining lot, and if built on land of the same owner, nearer than six feet to any other building, unless the side wall of such adjoining building is constructed as a solid brick or concrete wall not less than eight inches thick and carried twelve inches above the roof. 1907, 550, § 40, amended. Height of wooden buildings to be used for habitation limited.

Every wooden building hereafter constructed to form a block of two or more houses shall have a brick or concrete party wall between adjoining houses, which shall be not less than eight inches thick, shall be carried twelve inches above the roof, and shall be capped with a metallic covering. Party wall.

Building not to exceed certain area, etc.

No wooden building hereafter erected to be used in whole or in part as a house of habitation shall exceed twenty-two hundred square feet in area; and no such existing building shall be altered or enlarged to exceed twenty-two hundred square feet in area. No wooden building hereafter erected to be used for other purposes than habitation shall exceed forty feet in height, and no such building shall exceed twenty-two hundred feet in area unless the external parts are covered with incombustible material to the satisfaction of the commissioner, and no such building shall exceed five thousand square feet in area in any event: *provided, however,* that nothing in this section shall be construed to affect the provisions of section nine of this act; and no such existing building shall be altered or enlarged to exceed forty feet in height; nor shall any such building be altered or enlarged to exceed twenty-two hundred square feet in area unless the external parts are covered with incombustible material to the satisfaction of the commissioner; nor to exceed five thousand square feet in area in any event.

Proviso.

SECTION 3. This act shall take effect upon its passage.

Approved May 27, 1913.

Chap. 705 AN ACT TO PROVIDE FOR REGISTERING AND LICENSING STORES FOR TRANSACTING RETAIL DRUG BUSINESS.

Be it enacted, etc., as follows:

Term "drug business" defined.

SECTION 1. The term "drug business" as used in this act shall mean the sale of opium, morphine, heroin, codeine or other narcotics, or any salt or compound thereof, or any preparation containing the same, or cocaine, alpha or beta eucaine, or any synthetic substitute therefor, or any salt or compound thereof, or any preparation containing the same, and the said term shall also mean the compounding and dispensing of physicians' prescriptions.

Transaction of retail drug business regulated.

SECTION 2. No store shall be kept open for the transaction of the retail drug business unless it is registered with and a permit therefor has been issued by the board of registration in pharmacy as herein provided.

Permits, issue, fee, etc.

SECTION 3. The board of registration in pharmacy shall, upon application, issue a permit to keep open a store for the transaction of the retail drug business to such persons, firms and corporations as the board may deem qualified to conduct such a store. The application for such a permit shall

be made in such manner and in such form as the board shall determine. A permit issued as herein provided shall be exposed in a conspicuous place in the store for which the permit is issued and shall expire on the first day of January following the date of its issue. The fee for the permit shall be one dollar.

Management to be in hands of registered pharmacist.

Section 4. No such permit shall be issued for a corporation to keep open a store for the transaction of the retail drug business, unless it shall appear to the satisfaction of the said board that the management of the drug business in such store is in the hands of a registered pharmacist.

Permit may be suspended or revoked, etc.

Section 5. The said board may suspend or revoke a permit issued hereunder for any violation of the law pertaining to the drug business or the sale of intoxicating liquors or for aiding or abetting a violation of any such law; but before suspending or revoking any such permit the said board shall give a hearing to the person, firm or corporation holding the permit, after due notice to such person, firm or corporation of the charges against him or it and of the time and place of the hearing. At the hearing such person, firm or corporation may appear with witnesses and be heard by counsel. Witnesses at all hearings shall testify under oath and any member of the board may administer oaths to witnesses. Any person so sworn or affirming, who wilfully swears or affirms falsely respecting any matter upon which his testimony is required shall be deemed guilty of perjury. The board shall have power to require the attendance of persons and to compel the production of books and documents. Three members of the board shall be a quorum for such a hearing, but no permit shall be suspended or revoked unless upon the vote of three or more members of the board.

Hearings.

Enforcement of act.

Section 6. For the purpose of enforcing the provisions of this act the board may expend a sum not exceeding one thousand dollars annually.

Penalty.

Section 7. Whoever violates any provision of this act shall be punished by a fine of not less than five nor more than one hundred dollars, or by imprisonment for not more than thirty days, or by both such fine and imprisonment.

Time of taking effect.

Section 8. This act shall take effect on the first day of January, nineteen hundred and fourteen.

Repeal.

Section 9. All acts and parts of acts inconsistent herewith are hereby repealed. *Approved May 27, 1913.*

Chap. 706 AN ACT RELATIVE TO THE AUDITING OF MUNICIPAL ACCOUNTS.

Be it enacted, etc., as follows:

1910, 598, amended.

SECTION 1. Chapter five hundred and ninety-eight of the acts of the year nineteen hundred and ten is hereby amended by striking out the first three sections and inserting in place thereof the following: — *Section 1.* Any town at a town meeting legally called for the purpose may petition the director of the bureau of statistics for an audit of its accounts; and, as soon as possible after the receipt of such petition, the director shall cause the audit to be made and shall at the time of making the audit cause a system of accounts such as may be approved by him to be installed in the town; and after an accounting system has been installed in accordance with the provisions of this section, the town, at a town meeting legally called for the purpose, may petition for subsequent audits from time to time, or may provide in its by-laws for periodical audits under the supervision of the director of the bureau of statistics, and said director shall cause such audits to be made. *Section 2.* Any city of the commonwealth may, by vote of its city council, petition the director of the bureau of statistics for an audit of its accounts or for the installation of an accounting system to be approved by him, and in case a statute or an ordinance requires any city official or commission to cause an audit of the city's accounts to be made, such official or commission may petition said director for the audit, and said director, as soon as possible after the receipt of such petition, shall cause such audit to be made or accounting system to be installed, as the case may be. *Section 3.* Whenever, after a system of accounting has been installed under the provisions of this act, a city or town accounting officer requests the advice or assistance of the bureau of statistics in the keeping of its accounts, the director of said bureau shall render such assistance as in his judgment may be necessary. The accounting systems installed in accordance with this act shall be such as will, in the judgment of the director of the bureau of statistics, be most effective in securing uniformity of classification in the accounts of the cities and towns of the commonwealth.

Auditing of accounts of towns.

Auditing of accounts of cities.

Director of bureau of statistics may render assistance, etc.

Article to be inserted in warrant.

SECTION 2. There shall be inserted in the warrant for the annual town meeting held in the year nineteen hun-

dred and fourteen in each town of the commonwealth an article to see if the town will petition the director of the bureau of statistics for an audit of its accounts in accordance with the provisions of chapter five hundred and ninety-eight of the acts of the year nineteen hundred and ten and amendments thereof; but this provision shall not apply to those towns which, prior to the passage of this act, shall have petitioned said director in accordance with the provisions of said chapter.

Employment of certain persons authorized.

Section 3. Persons employed by the director of the bureau of statistics under the provisions of section four of chapter five hundred and ninety-eight of the acts of the year nineteen hundred and ten may also be employed by him in carrying out the provisions of section six of chapter three hundred and seventy-one of the acts of the year nineteen hundred and nine and amendments thereof.

Section 4. This act shall take effect upon its passage.

Approved May 27, 1913.

An Act making appropriations for salaries and expenses in the department of the surgeon general of the militia. *Chap.* 707

Be it enacted, etc., as follows:

Appropriations, surgeon general's department.

Section 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, for the department of the surgeon general, for the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen, to wit: —

Surgeon general.

For the salary of the surgeon general, twelve hundred dollars.

Medical supplies, etc.

For medical supplies for the use of the volunteer militia, and for incidental and contingent expenses of the surgeon general, including clerical services and printing the annual report, a sum not exceeding twenty-five hundred dollars.

Examination of recruits.

For expenses in connection with the examination of recruits for the militia, a sum not exceeding thirty-five hundred dollars.

Section 2. This act shall take effect upon its passage.

Approved May 27, 1913.

*Chap.*708 AN ACT TO AUTHORIZE THE TOWN OF WELLESLEY TO GRANT A PENSION TO FLAVIUS J. LAKE.

Be it enacted, etc., as follows:

Town of Wellesley may pension Flavius J. Lake.

SECTION 1. The town of Wellesley, if it shall accept the provisions of this act, may retire from active service and place upon the pension roll Flavius J. Lake: *provided*, that he shall at the time of the acceptance of this act then be a member of the board of assessors of said town and shall have served the town as assessor for a continuous period of twenty-five years.

Proviso.

Pension fund.

SECTION 2. A fund sufficient to pay the pension hereinafter provided for shall be derived from such revenues as may be devoted to the purpose by direct appropriation by the town. The treasurer of the town shall be the custodian of the fund and shall make quarterly payments therefrom to the said Flavius J. Lake of such amounts as shall be certified to the treasurer by the selectmen of the town.

Appropriation.

SECTION 3. The town of Wellesley is hereby authorized to appropriate annually such sums of money as may be necessary to provide for the pension fund hereby established, but the amount of the annual pension payable under authority of this act shall not exceed one half of the amount of the annual salary payable to said Flavius J. Lake for the year nineteen hundred and twelve.

Time of taking effect.

SECTION 4. This act shall take effect upon its acceptance by a majority of the legal voters of the town of Wellesley present and voting thereon at a meeting of said town duly called for the purpose. *Approved May 27, 1913.*

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*Chap.*709 AN ACT TO ENLARGE THE POWERS AND DUTIES OF THE ATTORNEY-GENERAL.

Be it enacted, etc., as follows:

Powers and duties of attorney-general relative to unlawful combinations, etc., in restraint of trade, etc.

SECTION 1. It shall be the duty of the attorney-general, and he is hereby authorized, to take cognizance of all violations of law or of orders of courts, tribunals or commissions affecting the general welfare of the people, including combinations, agreements and unlawful practices in restraint of trade or for the suppression of competition, or for the undue enhancement of the price of articles or commodities in com-

mon use, and to institute or cause to be instituted such criminal or civil proceedings before the appropriate state and federal courts, tribunals and commissions as the attorney-general may deem to be for the interest of the public, and to investigate all matters in which he has reason to believe that there has been such violation. To carry out the purposes of this act he may appoint such assistant or assistants as he may deem necessary to act for him under his direction, and, with the approval of the governor and council, he shall fix their compensation. In all criminal proceedings instituted under this act the attorney-general may require district attorneys to assist him and to act for him in their respective districts, and in all matters so referred to them the district attorneys shall be under the jurisdiction and direction of the attorney-general.

In criminal proceedings, district attorneys may assist, etc.

Section 2. To carry out the provisions of this act the attorney-general, with the consent of the governor and council, may expend a sum not exceeding five thousand dollars from the treasury of the commonwealth.

Appropriation.

Section 3. This act shall take effect upon its passage.

Approved May 28, 1913.

An Act to adjust the salaries in the department of the adjutant general of the militia. *Chap.* 710

Be it enacted, etc., as follows:

Section 1. Section fourteen of chapter six hundred and four of the acts of the year nineteen hundred and eight, as amended by section one of chapter three hundred and forty-eight of the acts of the year nineteen hundred and ten, and by section one of chapter five hundred and ninety-three of the acts of the year nineteen hundred and twelve, is hereby further amended by striking out all after the word "employ", in the fifth line, and inserting in place thereof the words: — a chief clerk at a salary of twenty-two hundred dollars a year and a second clerk at a salary of two thousand dollars a year. He may also employ such additional clerks and other assistants as may be necessary in his department, at an expense not exceeding twelve thousand one hundred dollars a year, — so as to read as follows: — *Section 14.* The adjutant general shall receive a salary of thirty-six hundred dollars a year. An adjutant general (rank of lieutenant colonel), adjutant general's department, shall receive a

1908, 604, § 14, etc., amended.

Salaries of adjutant general, clerks, etc.

salary of eighteen hundred dollars a year. The adjutant general may employ a chief clerk at a salary of twenty-two hundred dollars a year and a second clerk at a salary of two thousand dollars a year. He may also employ such additional clerks and other assistants as may be necessary in his department, at an expense not exceeding twelve thousand one hundred dollars a year.

SECTION 2. This act shall take effect upon its passage.

Approved May 28, 1913.

Chap. 711 AN ACT TO AUTHORIZE THE PENSIONING OF CERTAIN WOMEN EMPLOYED BY THE SERGEANT-AT-ARMS.

Be it enacted, etc., as follows:

Certain women employees of the sergeant-at-arms may be pensioned.

SECTION 1. Any woman in the employ of the sergeant-at-arms as a cleaner and scrub woman who has reached the age of sixty years and has been in such employ for a period of not less than fifteen years and has become physically or mentally incapacitated for labor, and any such employee who has been in the employ of said department for a period of not less than ten years and has become physically or mentally incapacitated for labor by reason of any injury received in the performance of her duties in the said department, may, with the approval of the sergeant-at-arms, be retired from service, and if so retired she shall receive from the commonwealth for the remainder of her life the sum of three dollars per week.

Time of taking effect.

SECTION 2. This act shall take effect on the first day of January, nineteen hundred and fourteen.

Approved May 28, 1913.

Chap. 712 AN ACT TO PROVIDE FOR THE COMPLETION OF A STATE HIGHWAY IN THE TOWNS OF DRACUT AND METHUEN.

Be it enacted, etc., as follows:

Provision for completion of state highway in Dracut and Methuen.

SECTION 1. The Massachusetts highway commission is hereby authorized to expend a sum not exceeding thirty thousand dollars, in addition to the sum heretofore appropriated by chapter six hundred and forty-seven of the acts of the year nineteen hundred and twelve, for the completion of the construction of a state highway in the towns of Dracut and Methuen, and the provisions of chapter forty-seven of

the Revised Laws, as amended, relating to state highways, shall apply to the work done under authority hereof.

Section 2. For the purpose of meeting the expenditures hereby authorized, the treasurer and receiver general is hereby empowered, with the approval of the governor and council, to issue bonds or certificates of indebtedness to an amount not exceeding thirty thousand dollars, for a term not exceeding fifteen years. Such bonds or certificates of indebtedness shall be issued as registered bonds or with interest coupons attached, and shall bear interest at a rate not exceeding four per cent per annum, payable semi-annually. They shall be designated on their face, State Highway Loan, shall be countersigned by the governor, and shall be deemed a pledge of the faith and credit of the commonwealth; and the principal and interest thereof shall be paid at the time specified therein in gold coin of the United States or its equivalent. They shall be sold at public auction, or disposed of in such other manner, at such times and prices, in such amounts and at such rates of interest, not exceeding the rate above specified, as shall be deemed best. Issue of bonds, etc.

Section 3. This act shall take effect upon its passage.

Approved May 28, 1913.

An Act relative to the sale of peas and beans for seeding and planting purposes. *Chap.* 713

Be it enacted, etc., as follows:

Section 1. Section twenty-one of chapter fifty-seven of the Revised Laws, as amended by chapter two hundred and forty-six of the acts of the year nineteen hundred and twelve, is hereby further amended by striking out said section and inserting in place thereof the following: — *Section 21.* All fruits, vegetables and nuts, except as hereinafter otherwise provided, shall be sold at retail by dry measure, weight or by numerical count, and all fruits and vegetables for which a legal weight has been established, except peas and beans sold in quantities of four quarts or less for seeding or planting purposes, shall be sold at retail only by weight or numerical count. Whoever violates any provision of this section shall forfeit a sum not exceeding ten dollars for each offence. R. L. 57, § 21, etc., amended. Sale of fruits, vegetables, etc., regulated. Penalty.

Section 2. This act shall take effect upon its passage.

Approved May 28, 1913.

Chap. 714 AN ACT RELATIVE TO THE LICENSING OF OPERATORS OF PASSENGER ELEVATORS IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

Operation of passenger elevators in Boston regulated.

SECTION 1. It shall be unlawful for any person to be employed in running an elevator in the city of Boston for the transportation of passengers, except in private houses and apartment houses, unless the person so employed is licensed as hereinafter provided.

Granting of licenses, etc.

SECTION 2. Any person desiring to operate an elevator in the city of Boston for the transportation of passengers, and any person now so employed and desiring to continue such employment, shall make written application to the building commissioner of said city. The applicant shall state in his application his name, age and residence, and the application shall be accompanied by the written recommendation of a citizen of the commonwealth stating that he has known the applicant for a period of not less than six months, and that the applicant is a person of good moral character. The said building commissioner shall make such examination of the applicant as he deems necessary, and if the applicant is found to be of good moral character and competent to operate an elevator, he shall receive a license without payment of a license fee. All licenses shall expire on the last day of the year in which they are granted. No license shall be granted to a person under eighteen years of age.

Building commissioner to examine applicant.

Penalties.

SECTION 3. Whoever not being licensed as aforesaid, or being under eighteen years of age, operates in the city of Boston an elevator for the transportation of passengers, and whoever employs a person who is under eighteen years of age, or who is not licensed as aforesaid, to operate an elevator in said city for the transportation of passengers shall be punished by a fine of not less than ten nor more than five hundred dollars.

Not to apply to certain elevators, etc.

SECTION 4. This act shall not apply to elevators used for carrying freight which carry passengers incidentally to such use, nor to elevators in buildings that are under construction or repair, nor to the operation of elevators in an emergency that could not reasonably have been anticipated.

Time of taking effect.

SECTION 5. This act shall take effect ninety days after its passage. *Approved May 28, 1913.*

An Act to increase the salary of the secretary of the licensing board for the city of Boston. *Chap.*715

Be it enacted, etc., as follows:

Section 1. The annual salary of the secretary of the licensing board for the city of Boston shall be three thousand dollars, to be so allowed from the first day of January in the year nineteen hundred and thirteen. Salary established.

Section 2. This act shall take effect upon its passage.

Approved May 28, 1913.

An Act to simplify legal procedure. *Chap.*716

Be it enacted, etc., as follows:

Section 1. No new trial shall be granted in any civil action or proceeding on the ground of improper admission or rejection of evidence, or for any error as to any matter of pleading or procedure, if, in the opinion of the judge who presided at the trial when application is made by motion for a new trial, or in the opinion of the supreme judicial court when application is made by exceptions or otherwise, the error complained of has not injuriously affected the substantial rights of the parties; and, if it appears to such court that said error affects part only of the matter in controversy or some or one only of the parties, the court may direct final judgment as to part thereof, or some or one only of the parties, and may direct a new trial as to the other part only or as to the other party or parties. New trial not granted, if error complained of has not affected rights of parties. Court may direct final judgment or new trial.

Section 2. Whenever a question in dispute at the trial of an issue of fact in any civil action or proceeding depends upon the decision of a question of law, the full bench of the supreme judicial court, upon appeal, exceptions or report or otherwise, may, if satisfied that it has before it all the facts necessary for determining the question in dispute, direct that such judgment or decree be entered or that such other action be taken as shall accord with the determination of the full court; or, if the full court shall be of the opinion that it has not before it sufficient facts to determine said question, it may direct such issues or questions as it shall think proper to be tried before a jury, if the case be a jury case, or otherwise before a judge, and may direct in the alternative what action shall be taken upon the verdict or Full court may direct judgment or decree entered at trial of issue of fact. Full court may direct issues to be retried.

When question of law arises, judge shall ascertain all facts, etc.

finding. When any such question of law shall arise in a trial, the judge shall, by leaving appropriate questions to the jury, or by his own findings where the trial is without a jury, ascertain so far as is practicable all the facts both as to liability and damages necessary on any theory of the law to enable the court to make the proper final disposition of the case, unless in the opinion of the court such a course is inexpedient under the circumstances of the case. When special questions are submitted to a jury, the judge may or may not take a general verdict, and may report the case on the answers of the jury, or make such other order thereon as the judge may deem proper. A judge reporting to the full court for its determination a question as to the correctness of any rulings of law made by him at a trial, or on a motion for a new trial, shall have the power to make in any proper case a provision in the report that, if his rulings were correct, a judgment or decree shall be entered for the party in whose favor the rulings were made, and that, if his rulings were wrong, the judgment or decree shall be entered in accordance with such rulings as he ought to have made.

Special questions submitted to jury, etc.

Correctness of rulings of law, etc.

Full court upon appeal, etc., given powers of amendment.

SECTION 3. The supreme judicial court, upon any appeal, bill of exceptions, report, or other proceeding in the nature of an appeal in any civil action, suit or proceeding, shall have all the powers of amendment of the court below; and whenever exceptions have been taken to the exclusion of evidence, or where the alleged error arises from the omission at the trial of some fact which, under the circumstances of the case, may subsequently be proved without involving any question for a jury, and without substantial injustice to either party, the supreme judicial court shall have full discretionary authority to cause such further testimony to be taken as it deems necessary, either by oral examination in court, by reference, by affidavit or by deposition, and the court shall have power to render any judgment and to make any order that ought to have been made upon the whole case.

Court may cause further testimony to be taken, etc.

Upon appeal of suit in equity, questions raised made subject to revision by court, etc.

SECTION 4. Upon an appeal in a suit in equity in which the evidence is reported to the full court, all questions regarding the improper admission or rejection of evidence, raised by exceptions taken at the hearing, shall be subject to revision by the court in the same manner as if they were contained in a bill of exceptions, and the report of the evidence shall include, as part thereof, notes of any exceptions

to the admission or rejection of evidence and the rulings of the judge in respect thereto, and it shall not be necessary to file any bill of exceptions as to such admission or rejection of evidence or to suspend the entry of a decree by reason of any such exceptions.

Court may draw inferences of fact, etc., unless parties otherwise agree.

Section 5. Upon a case stated by agreement of the parties for the decision of the court in any action, suit or proceeding, any court before which such case shall come, either in the first instance or upon appeal or exceptions or other proceedings in the nature of an appeal, shall be at liberty to draw from the facts and documents stated in the case any inferences of fact that might have been drawn therefrom at a trial, unless the parties expressly agree that no inferences shall be drawn.

Time of taking effect.

Section 6. This act shall take effect upon its passage, but shall not apply to cases pending before the full court or to verdicts rendered or findings made on or before the day of its passage. *Approved May 28, 1913.*

An Act to establish the salary of Herbert H. Boynton as deputy secretary of the commonwealth. *Chap.* 717

Be it enacted, etc., as follows:

Salary established.

Section 1. Herbert H. Boynton, deputy secretary of the commonwealth, shall receive a salary of four thousand dollars a year, the same to be in full compensation for all services rendered by him to the commonwealth.

Section 2. This act shall take effect upon its passage. *Approved May 28, 1913.*

An Act to establish the salary of the second deputy secretary of the commonwealth. *Chap.* 718

Be it enacted, etc., as follows:

Salary established.

Section 1. The salary of the second deputy secretary of the commonwealth shall be three thousand dollars a year, the same to be in full compensation for all services rendered to the commonwealth by the said second deputy secretary.

Section 2. This act shall take effect upon its passage. *Approved May 28, 1913.*

*Chap.*719 AN ACT RELATIVE TO MUNICIPAL INDEBTEDNESS.

Be it enacted, etc., as follows:

This act not to apply to city of Boston, except, etc.

SECTION 1. The provisions of this act shall not, except as is hereinafter specified, apply to the city of Boston, but said city shall remain subject to the provisions of all general and special laws applicable to it.

Terms defined.

SECTION 2. In this act, unless the context otherwise requires: "revenue" means receipts from taxes and income from all other sources; "majority vote" and "two thirds vote," as applied to towns, mean the vote of a majority or two thirds of the voters present and voting at a town meeting duly called, and, as applied to cities, mean the vote taken by yeas and nays of a majority or of two thirds, as the case may require, of all the members of each branch of the city government, where there are two branches, or of all the members where there is a single branch of the city government, or of a majority or two thirds of the commissioners where the city government consists of a commission; and in every case subject to the approval of the mayor, where such approval is required by the charter of the city.

Indebtedness may be incurred for temporary loans in anticipation of revenue, etc.

SECTION 3. Cities and towns, and fire, water and watch districts, so-called, may, by a majority vote, incur debt for temporary loans in anticipation of the revenue of the financial year in which the debt is incurred and expressly made payable therefrom by such vote, and may issue a note or notes therefor to an amount not exceeding in the aggregate the total tax levy of the preceding financial year, together with the bank, corporation and street railway tax received during the preceding financial year, exclusive of special or additional assessments or revenue from any other source except payments made by the commonwealth in lieu of taxes on account of property taken for institutions or for metropolitan district purposes. Such notes shall be payable, and shall be paid, not later than one year from the date thereof, and shall not be renewed or paid by the issue of new notes, except as is provided in section nine.

Payment of notes.

Indebtedness may be incurred for temporary loans for payment of land damages, alteration of grade crossings, etc.

SECTION 4. Cities and towns may, by a majority vote, incur debt for temporary loans for the payment of any land damages or any proportion of the general expenses of altering a grade crossing which they are required primarily to pay under the provisions of law, or any proportion of the

expense of constructing a highway in anticipation of reimbursement by the commonwealth, such reimbursement first to have been agreed upon by the Massachusetts highway commission, and may issue a note or notes therefor and for a period not exceeding one year from the date thereof; and when any money so paid is repaid to the municipality, it shall be applied to the discharge of the loan. Notes issued under the provisions of this section shall not be renewed or paid by the issue of new notes, except as is provided in section nine.

Purposes for which municipalities may incur indebtedness within the debt limit.

Section 5. Cities and towns may incur debt, within the limit of indebtedness prescribed in this act, for the following purposes, and payable within the periods hereinafter specified: —

(1) For the construction of sewers for sanitary and surface drainage purposes and for sewage disposal, thirty years.

(2) For acquiring land for public parks under the provisions of chapter twenty-eight of the Revised Laws and amendments thereof, thirty years.

(3) For acquiring land for, and the construction of, schoolhouses or buildings to be used for any municipal or departmental purpose, including the cost of original equipment and furnishing, twenty years.

(4) For the construction of additions to schoolhouses or buildings to be used for any municipal purpose, including the cost of original equipment and furnishings, where such additions increase the floor space of said buildings to which such additions are made, twenty years.

(5) For the construction of bridges of stone or concrete, or of iron superstructure, twenty years.

(6) For the original construction of streets or highways or the extension or widening of streets or highways, including land damages and the cost of pavement and sidewalks laid at the time of said construction, ten years.

(7) For the construction of stone, block, brick or other permanent pavement of similar lasting character, ten years.

(8) For macadam pavement under specifications approved by the Massachusetts highway commission, five years.

(9) For the construction of walls or dikes for the protection of highways or property, ten years.

(10) For the purchase of land for cemetery purposes, ten years.

(11) For such part of the cost of additional departmental equipment as is in excess of twenty-five cents per one thousand dollars of the preceding year's valuation, five years.

(12) For the construction of sidewalks of brick, stone, concrete or other material of similar lasting character, five years.

(13) For connecting dwellings or other buildings with public sewers, when a portion of the cost is to be assessed on the abutting property owners, five years.

(14) For the abatement of nuisances in order to conserve the public health, five years.

(15) For extreme emergency appropriations involving the health or safety of the people or their property, five years.

Authorization of indebtedness.

Debts may be authorized under the provisions of this section only by a vote of two thirds of the voters present and voting, or of two thirds of all the members of a city council or other governing body, taken by yeas and nays, and subject to the approval of the mayor, if such approval is required by the charter of the city.

Purposes for which cities and towns may incur indebtedness outside the debt limit.

SECTION 6. Cities and towns may incur debt, outside the limit of indebtedness prescribed in this act, for the following purposes and payable within the periods hereinafter specified: —

(1) For temporary loans under the provisions of sections three, four or nine, one year.

(2) For establishing or purchasing a system for supplying the inhabitants of a city or town with water, or for the purchase of land for the protection of a water system, or for acquiring water rights, thirty years.

(3) For the extension of water mains and for water departmental equipment, five years.

(4) For establishing, purchasing, extending or enlarging a gas or electric lighting plant within the limits of a city or town, twenty years; but the indebtedness so incurred shall be limited to an amount not exceeding in a town five per cent and in a city two and one half per cent of the last preceding assessed valuation of such town or city.

(5) For acquiring land for the purposes of a public playground, as specified in section nineteen of chapter twenty-eight of the Revised Laws and amendments thereof, thirty years; but the indebtedness so incurred shall be limited to an amount not exceeding one half of one per cent of the last preceding assessed valuation of the city or town.

Debts for all of the purposes mentioned in this section shall be payable within the periods above specified from the date of the first issue of bonds or notes on account thereof, and may be incurred in accordance with the provisions of existing law, except in so far as the same are inconsistent with the provisions of this act. All other debts hereafter incurred by a city or town shall be reckoned in determining its limit of indebtedness, and debts authorized under the provisions of this section, except for temporary loans, may be incurred only by a vote of two thirds of the voters present and voting, or of two thirds of all the members of a city council or other governing body, taken by yeas and nays, and subject to the approval of the mayor, if such approval is required by the charter of the city.

Debts to be payable as herein specified.

Other debts incurred to be reckoned in limit of indebtedness, etc.

Section 7. Cities and towns shall not incur debt for any purpose or for any period of time other than as specified in this act or in chapter six hundred and thirty-four of the acts of the year nineteen hundred and thirteen, and the proceeds of any sale of bonds or notes, except premiums, shall be used only for the purposes specified in the authorization of the loan: *provided, however,* that transfers of unexpended amounts may be made to other accounts to be used for similar purposes.

Proceeds of sale of bonds to be used only for purposes specified, etc.

Proviso.

Section 8. A city or town which has authorized a debt to be incurred within the limitations as to amount and time of payment prescribed by this act may issue bonds, notes or certificates of indebtedness therefor, properly denominated on the face thereof, signed by its treasurer, and, if issued by a city, countersigned by its mayor, unless its charter otherwise provides, or if issued by a town, countersigned by a majority of its selectmen, and by any other officers, boards or commissioners of a city or town whose countersignatures may be required by law, at such rate of interest as may be deemed proper, and such city or town may, except as provided in section nine, sell such bonds, notes or certificates of indebtedness at not less than par, at public or private sale, or may use the same in payment of such debts: *provided, however,* that if the amount of the annual payment and the period of the loan are not specified by the vote authorizing the debt to be incurred, the officers authorized to issue bonds or notes therefor may issue the same subject to the provisions and limitations of this act. The auditor or similar officer in cities, and the town accountant in towns

Issue of bonds, notes, etc.

Proviso.

Duties of certain city and town officers.

having such an officer, and the treasurer in all other towns shall, not later than May first of each year, notify the board of assessors in writing of the amount of debt falling due during the current financial year, the sinking fund requirements, if any, and what provision has been made for meeting such requirements; and the board shall make such provision for meeting said debt and sinking fund requirements in the tax levy of that year as in its judgment may be necessary.

Temporary loan may be made for period not exceeding one year, etc.

SECTION 9. If a city or town votes to issue bonds, notes or certificates of indebtedness in accordance with the provisions of law, the officers authorized to issue the same may, in the name of such city or town, make a temporary loan for a period of not more than one year in anticipation of the money to be derived from the sale of such bonds, notes or certificates of indebtedness and may issue notes therefor; but the time within which such securities shall become due and payable shall not be extended by reason of the making of such temporary loan beyond the time fixed in the vote authorizing the issue of such bonds, notes or certificates of indebtedness; and notes issued under the provisions of this section and of sections three and four of this act for a shorter period than one year may be refunded by the issue of other notes maturing within the required period.

Discount of notes.

SECTION 10. Notes issued under the provisions of sections three, four and nine of this act may be sold at such discount as the treasurer or other officer authorized to sell the same may, with the approval of the officer or officers whose counter-signature is required on said notes, deem proper; the discount to be treated as interest paid in advance.

City may incur indebtedness for water supply purposes.

SECTION 11. A city which, at a meeting of its voters held for that purpose, has accepted, by a vote of two thirds of the legal voters present and voting thereon, any act to supply the city with water, may, by a yea and nay vote of two thirds of all the members of each branch of the city council or other governing body, with the approval of the mayor when the charter of the city requires such approval, incur debt and issue bonds or notes for the purposes and to the extent authorized by such act, in the manner provided in, and subject to the provisions of, section fourteen of this act.

Indebtedness not to exceed certain per cent of valuation of

SECTION 12. Except as otherwise authorized by section six of this act, or by chapter six hundred and thirty-four of the acts of the year nineteen hundred and thirteen, a city

shall not authorize indebtedness to an amount exceeding two and one half per cent, and a town shall not authorize indebtedness to an amount exceeding three per cent, on the average of the assessors' valuations of the taxable property for the three preceding calendar years, the valuations being first reduced by the amount of all abatements allowed thereon previous to the last day of December of the preceding calendar year. taxable property.

Section 13. No further sinking funds for the payment of debt shall be established by any city or town, but cities and towns shall contribute to every sinking fund established prior to the passage of this act until such sinking fund, with its accumulations, shall be sufficient to extinguish at maturity the debt for which it was established, and all provisions of law relating to the manner of establishing, administering and investing sinking funds which may be in force at the time of the passage of this act shall remain in force with respect to all sinking funds established prior thereto. No further sinking funds to be established, etc.

Section 14. Cities and towns shall not issue any notes payable on demand, and they shall provide for the payment of all debts, except those incurred under the provisions of sections three, four and nine, by such annual payments as will extinguish the same at maturity, and so that the first of such annual payments on account of any loan shall be made not later than one year after the date of the bonds or notes issued therefor, and so that the amount of such annual payments in any year on account of such debts, so far as issued, shall not be less than the amount of principal payable in any subsequent year, and such annual amount, together with the interest on all debts, shall, without further vote, be assessed until the debt is extinguished. Provision for payment of debts.

Section 15. Cities and towns may pay or provide for the payment of any debt, whether incurred before or after the passage of this act, at an earlier period than is required by the provisions of this act, and shall not refund any debt except as provided in section nine of this act; and cities and towns may, for the purpose of reducing the whole debt for the redemption of which sinking funds have been established prior to the passage of this act, or of reducing the amount to be raised by taxation for such funds, add to any such sinking fund the excess of any appropriation over the amount required for the purpose thereof, or add to such funds Earlier payment of debts, etc.

any sums derived from taxation or from other sources not required by law to be expended otherwise.

Liability not to be incurred in excess of appropriation, etc.

SECTION 16. No department of any city or town shall incur liability in excess of the appropriation made for the use of such department, except in cases of extreme emergency involving the health or safety of persons or property, and then only by a vote in cities of two thirds of the members of the city council, and in a commission form of government by a vote of two thirds of the members of the commission, and in a town by a vote of two thirds of the selectmen.

Disposition of trust funds, etc.

SECTION 17. Trust funds, including cemetery perpetual care funds, unless it is otherwise provided or directed by the donor thereof, shall hereafter be deposited in savings banks or invested by cities and towns in securities which are legal investments for savings banks.

1909, 490, Part I, § 53, etc., amended.

SECTION 18. Section fifty-three of Part I of chapter four hundred and ninety of the acts of the year nineteen hundred and nine, as amended by chapter five hundred and twenty-one of the acts of the year nineteen hundred and ten, is hereby further amended by striking out the said section and inserting in place thereof the following: — *Section 53.* The taxes assessed in the city of Boston on property, exclusive of the state tax and other amounts assessed upon the city by the commonwealth, the county tax and sums required by law to be raised on account of the city debt, shall not in any year exceed ten dollars and fifty-five cents on every one thousand dollars of the average of the assessors' valuation of the taxable property therein for the preceding three years, such valuation being first reduced by the amount of all abatements allowed thereon previous to the thirty-first day of December in the year preceding said assessment. Any order or appropriation requiring a larger assessment than is herein limited shall be void.

Rate of taxation in city of Boston.

Establishment of tax limit in cities.

SECTION 19. Within ninety days after the passage of this act the city council or other governing body of every city, except Boston, shall give a public hearing in regard to establishing a tax limit for that city. The time and place of holding such hearing shall be duly advertised, and, after the hearing, any city, except Boston, may provide by ordinance that the taxes assessed on property therein, exclusive of the state tax and other amounts assessed upon the city by the commonwealth, the county tax and sums required by law to be raised on account of the city debt, shall not in any

year succeeding the adoption of such ordinance exceed an amount specified in the ordinance on every one thousand dollars of the average of the assessors' valuation of the taxable property therein for the preceding three years, such valuation being first reduced by the amount of all abatements allowed thereon previous to the thirty-first day of December in the year preceding said assessment; and the tax limit so established by ordinance shall have the force of law until it is annulled or modified by the action of the city council or other governing body of the city. After such ordinance has been established it shall not be annulled or modified within one year thereafter, and then only after a public hearing, duly advertised, and by a two thirds vote of the city council or other governing body of the city.

Annual budget of current expenses, when and how submitted, by mayors in cities, etc.

Section 20. Within sixty days after the annual organization of the city government, the mayor of every city, except Boston and those cities having the commission form of government, so-called, shall submit to the city council the annual budget of the current expenses of the city, and the mayor may submit thereafter supplementary budgets until such time as the tax rate for the year shall be fixed. The budget shall consist of an itemized and detailed statement of the money required, and the city council shall make such appropriations in detail, clearly specifying the amount to be expended for each particular purpose. The city council may reduce or reject any item, but, without the approval of the mayor, shall not increase any item in nor the total of a budget, nor add any item thereto. It shall be the duty of the city officials, when so requested by the mayor, to submit to him forthwith in such detail as he may require estimates for the next fiscal year of the expenditures of their departments or offices under their charge, which estimate shall be transmitted to the city council. In case of the failure of the mayor to transmit in writing to the city council a recommendation for an appropriation of money for any purpose deemed by the council to be necessary, and after having been so requested by vote of the city council, said council, after the expiration of seven days after such vote, upon its own initiative, may make an appropriation for such purpose by a vote of at least two thirds of its members, and shall in all cases make such appropriations in detail, clearly specifying the amount to be expended for each particular purpose; and in cities having the commission

When mayor fails to transmit recommendation, how appropriations are made.

In cities with commission

form of government, how annual budget of current expenses is submitted.

form of government, so-called, each commissioner or director shall, within thirty days after the annual organization of the city government, submit to the commissioner or director of finance estimates in such detail as he may require of the amounts deemed necessary for the current expenses for their respective departments, and the commissioner or director of finance shall within thirty days thereafter submit to the city council a budget consisting of an itemized and detailed statement of the money required, and may submit thereafter supplemental budgets until such time as the tax rate for the year shall be fixed, and the budget or budgets shall be passed by a majority vote of the city council. In case of the failure of the finance commissioner or director to transmit in writing to the city council a recommendation for an appropriation of money for any purpose deemed by the council to be necessary, and after having been requested by vote of the city council, said council, after the expiration of seven days after such vote, upon its own initiative, may make an appropriation for such purpose by a vote of at least two thirds of all its members, and shall in all cases make such appropriations in detail, clearly specifying the amount to be expended for each particular purpose. In the period after the expiration of any fiscal year and before the regular appropriations have been made by the city council, liabilities may be incurred and expenditures made payable out of the regular appropriations to an amount not exceeding in any month sums spent for similar purposes during any one month of the preceding year, or may expend in any one month for any officer or board created by law an amount not exceeding one twelfth of the estimated cost for that year, but all interest and debt falling due in said period shall be paid.

When director of finance fails to transmit recommendation, how appropriations are made.

Before regular appropriations are made, how expenditures are payable, etc.

How act may be enforced.

SECTION 21. The supreme judicial court or the superior court, by mandamus or other appropriate remedy at law or in equity, upon the suit or petition of the attorney-general or of the mayor, or of one or more taxable inhabitants of a city, town or district authorized by law to incur debt, or of any creditor to whom a city or town or district authorized by law to incur debt is indebted to an amount not less than one thousand dollars, may compel such city or town or district, and its assessors, collectors, treasurer, commissioners of sinking funds and other proper officers, to conform to the provisions of this act.

Section 22. All acts and parts of acts and all provisions of any city charter inconsistent herewith, except such as relate to sinking funds established prior to the passage of this act, are hereby repealed, and all ordinances of any city and all by-laws of any town inconsistent herewith are hereby annulled; but neither this section nor any other part of this act shall be construed as affecting the validity of any debt incurred by virtue of authority granted therefor prior to the passage of this act, or as affecting the right of any city, town or district to incur, renew, fund or refund any debt in accordance with the provisions of any special act passed prior to the passage of this act; nor shall the restrictions of this act exempt a city, town or district authorized to incur debt from its liability to pay debts contracted for purposes for which it may lawfully expend money; nor shall anything in this act be construed as prohibiting any city, town or district authorized to incur debt from placing additional restrictions upon the manner of incurring debt, not inconsistent with this act.

Repeal.

Act, how construed as affecting any debt incurred.

Section 23. The provisions of this act, so far as they are the same as those of existing statutes, shall be construed as continuations thereof and not as new enactments, and a reference in a statute which has not been repealed to provisions of law which are revised and re-enacted herein shall be construed as applying to such provisions as so incorporated in this act. The provisions of this act shall not affect any act done, liability incurred, or any right accrued and established, or any suit or prosecution, civil or criminal, pending or to be instituted, to enforce any right or penalty or to punish any offence under the authority of existing laws; but the proceedings in such cases shall conform to the provisions of this act.

Certain provisions to be construed as a continuation of existing statutes, etc.

Section 24. Sections thirteen, fourteen and nineteen of this act shall take effect upon its passage, and cities and towns incurring debts in accordance with the provisions of section eleven of chapter twenty-seven of the Revised Laws and of acts in amendment thereof, prior to the first day of January, nineteen hundred and fourteen, shall make provision for the payment thereof in the manner provided for by section fourteen of this act; and the remainder of this act shall take effect on the first day of January, nineteen hundred and fourteen. *Approved May 28, 1913.*

Time of taking effect.

*Chap.*720 AN ACT TO PROHIBIT THE PRACTICE OF PHARMACY BY UNREGISTERED PERSONS.

Be it enacted, etc., as follows:

R. L. 76, § 18, etc., amended.

SECTION 1. Section eighteen of chapter seventy-six of the Revised Laws, as amended by section two of chapter five hundred and twenty-five of the acts of the year nineteen hundred and eight, is hereby further amended by striking out the said section and inserting in place thereof the following: — *Section 18.* Whoever, not being registered as aforesaid, retails, compounds for sale or dispenses for medicinal purposes drugs, medicines, chemicals or poisons, except as provided in section twenty-three, shall be punished by a fine of not more than fifty dollars, but the provisions of this section shall not prohibit the employment of apprentices or assistants and the sale by them of any drugs, medicines, chemicals or poisons under the personal supervision of a registered pharmacist. No unregistered co-partner or unregistered stockholder in a corporation doing a retail drug business shall hereafter be actively engaged in the drug business. Every registered pharmacist carrying on the drug business as proprietor or as manager shall cause his name to appear on every sign indicating or advertising his place of business and on every label used for medicinal preparations compounded in his place of business. The term "personal supervision" as used in the act shall mean that a registered pharmacist is in charge and present in the store.

Penalty for unlawful sale of drugs, etc.

Not to apply to certain persons.

SECTION 2. The provision of section eighteen of chapter seventy-six of the Revised Laws, as amended by section one of this act, that no unregistered co-partner or unregistered stockholder in a corporation doing a retail drug business shall hereafter be actively engaged in the drug business, shall not apply to those engaged in said business at the time of the passage of this act. *Approved May 28, 1913.*

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*Chap.*721 AN ACT RELATIVE TO THE SALARIES OF CLERKS AND MESSENGERS IN THE OFFICE OF THE SECRETARY OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

Repeal.

SECTION 1. So much of section two of chapter five of the Revised Laws, as amended by chapter three hundred

and sixty-four of the acts of the year nineteen hundred and two, as relates to the compensation of the additional clerks, messengers and other assistants in the office of the secretary of the commonwealth is hereby repealed.

Section 2. This act shall take effect upon its passage.

Approved May 28, 1913.

An Act to prohibit the manufacture, sale and use of golf balls containing explosives. *Chap.* 722

Be it enacted, etc., as follows:

Manufacture, etc., of golf balls containing explosives prohibited.

Section 1. It shall be unlawful to manufacture or sell or knowingly to use in this commonwealth, or to have in possession for the purpose of sale, any golf ball containing any acid, fluid, gas or other substance tending to cause the ball to explode and to inflict bodily injury.

Penalties.

Section 2. Whoever violates any provision of this act shall be punished by a fine not exceeding five hundred dollars for a first offence, and for any subsequent offence by a fine not exceeding one thousand dollars, or by imprisonment for a term not exceeding one year, or by both such fine and imprisonment.

Approved May 28, 1913.

An Act relative to wires and electrical appliances in the city of North Adams. *Chap.* 723

Be it enacted, etc., as follows:

Certain wires, etc., in city of North Adams to be placed underground.

Section 1. The mayor and city council of the city of North Adams shall have exclusive authority to cause to be removed from the streets of the city designated in section two, all telegraph, telephone, electric light, electric motor and power, street railway power and feed, and all other wires, cables or conductors, in or above said streets, and all poles and structures in said streets used for the support of the same, except such structures, poles, wires, cables and conductors as are hereinafter excepted, and to cause all such wires, cables and conductors to be placed, maintained and operated in underground conduits.

Streets to which this act shall apply.

Section 2. The provisions of this act shall apply to the following streets and parts of streets, to wit: Eagle street from Main street to Franklin street, Marshall street, Houghton street from River street to Frederick street, Union street from Eagle street to East Union street, Main street from

Pleasant street to Brown street, Centre street, Holden street, Summer street, Ashland street from Main street to Davenport street, Bracewell avenue, State street from Main street to Hooker street.

Public notice to be given.

Section 3. The city council may, with the approval of the mayor, from time to time after the passage of this act prescribe by ordinance, and give public notice thereof in at least one daily newspaper published in said city, by advertisement therein twice a week for two successive weeks, the part or parts of said streets from which all wires, cables and conductors, except such as are hereinafter excepted, shall be removed or placed underground, and shall in such ordinance prescribe a reasonable length of time within which such removing and placing underground shall be completed; but the total extent of streets so prescribed shall not in any calendar year exceed one mile according to lineal surface measurement, and the owners of such wires, cables and conductors shall not be required to begin the construction of the underground conduits to which such wires, cables and conductors are to be removed within sixty days after the publication of the first notice. The mayor and city council shall cause the owners or users of said wires, cables or conductors to remove or place them underground and also to remove any poles and structures used to support such wires, cables or conductors in the public ways and places, or parts thereof, in any such prescribed part of the said district, except when, in the judgment of the mayor and city council, it is impracticable or inexpedient to remove any such wires, cables, conductors, poles or structures; it being, nevertheless, the purpose of this act to cause the removal from the above named public ways and places of all such wires, cables, conductors, and all poles or structures used for the support of such wires, cables and conductors, not herein expressly excepted, so far as in the judgment of the mayor and city council the same is practicable and expedient; and every owner and user of such wires, cables and conductors, poles or structures shall in accordance with the direction of the mayor and city council and within the time prescribed in such order of removal, remove or place the same underground in accordance with the provisions of this act; and it shall be the duty of the commissioner of public works of the city of North Adams to enforce compliance with the orders and directions of the mayor and city council under this act.

Purpose of act.

No poles, etc., to be placed in streets except temporarily, etc.

Section 4. After parts of said public ways and places shall have been prescribed as aforesaid, no person, firm or corporation shall place any poles or other structures for the support of wires, cables or conductors, except those herein expressly excepted, in any way or place, or part thereof, thus prescribed, except temporarily, and with the consent of the commissioner of public works; and if after the expiration of the time specified in the order of removal there shall remain in such ways or places, or parts thereof, any poles or structures, wires, cables or conductors which under the provisions of this act should have been removed or placed underground, the said commissioner of public works shall cause the same to be removed forthwith, and the city may collect the expenses of such removal from the owners or users by an action at law, provided there was no unreasonable delay in the issuance of the necessary permits by the proper authorities.

Permission for removal of wires, etc., may be granted in certain cases, etc.

Section 5. Upon application of any person, firm or corporation duly authorized by law to lay, erect, or maintain, and maintaining wires in the ways of said city, the mayor and city council may grant permission, after due notice and hearing, for the removal of any such wires, cables, conductors, poles or structures within any of the ways or places named in section two and not prescribed in any year, or within ways or places of said city outside those specified in section two, and for the placing of the same and any other necessary wires, cables and conductors, and any extensions thereof underground as herein provided; and it shall be the duty of the commissioner of public works of said city, after the granting of such permission, to issue all permits for opening and occupying the ways of said city which may be necessary to carry out the intent of the foregoing provision, upon the application of the mayor and city council or of any person or corporation interested. The mayor and city council may also, after public notice and hearing as required by law, grant locations for such additional poles and wires for local distribution from underground wires, cables or conductors as may become reasonably necessary by reason of work done under the provisions of this act, specifying where such poles may be located and the kind of poles to be used.

Maps to be filed in certain cases.

Section 6. When any person, firm or corporation operating or intending to operate wires, cables or conductors in the district aforesaid of said city shall desire, or be re-

quired, to place the same underground in any of the streets, avenues or highways of said district, and for that purpose to remove the same from above the surface thereof, and shall have been duly authorized so to do, it shall be obligatory upon such person, firm or corporation to file with the city clerk a map or maps made to such scale and of such size and character as shall be approved by the city engineer, showing the streets, avenues or other highways which are desired or required to be used for such purpose, and giving the location, dimensions and courses of the underground conduits or conductors which are to be constructed, the location of the manholes, electrical structures or appliances showing the usage to which the respective ducts in said conduits are put, with specifications of the average volts charged and current used, the tested strength, the kind and number of lamps or motors connected with any electrical circuit and the other electrical appliances, and in general the method of installation, operation, maintenance and repair; and the map or maps so filed shall be approved in writing by the city engineer, before a permit shall be issued by the proper authorities to open such streets, avenues or highways for the purposes of this section.

Duties of commissioner of public works, etc.

SECTION 7. The commissioner of public works of said city, in case of the neglect or refusal of any person, firm or corporation to comply with any requirement made by the mayor and city council under authority of this act, may proceed in a summary manner to abate or remove any danger which he deems likely to result from the failure to comply with any such requirement. The mayor and city council shall also have power in their discretion, either generally or in particular cases, to extend the time prescribed for carrying out any of the work prescribed by this act.

Plans showing location, etc., of electrical conduits, etc., to be filed.

SECTION 8. All persons, firms or corporations owning or operating electrical wires, cables or conductors in said city shall, on or before September first, in the year nineteen hundred and thirteen, file with the city clerk a statement, together with plans of such scale, size and character as shall be satisfactory to the city engineer, showing the number and location of all their electrical conduits, wires, cables and conductors, poles and structures within the streets, ways and public places named in section two of this act.

Act not to apply to certain wires, etc.

SECTION 9. This act shall not apply to railway trolley guard or span wire, or poles or structures used exclusively

for the support thereof, or to posts for the support of lamps exclusively, or to poles used exclusively for local distribution from underground wires, cables or conductors, or to long distance telephone wires; nor shall it revoke any rights already granted to any person, firm or corporation to place or maintain any conduits, pipes, wires or cables or conductors underground, but all such conduits, pipes, wires, cables or conductors laid hereafter in pursuance of any such grant shall be laid subject to the provisions of this act so far as they are consistent with the terms of such grant. For the purposes of this act, no wire shall be deemed a long distance wire which does not extend at least twenty-five miles in a direct line from some central telephone office.

Ordinances.

Section 10. The city council of said city may make such ordinances not inconsistent with the provisions of this act as may be necessary or expedient to carry into effect the purposes of this act. No existing ordinances of the city inconsistent with the provisions of this act shall apply to the grants or permits to be made or to the work to be done or to the conduits, manholes, cables or conductors to be laid or constructed pursuant to the provisions of this act.

Change of location of conduits, etc.

Section 11. The mayor and city council, having first given the person or corporation to whom the permit aforesaid is granted opportunity to be heard, may order that the location of any conduit, manhole, fixture, wire or distributing pole shall be changed whenever it may deem such change necessary, and shall grant a substitute location therefor. Whenever the position of any conduit, manhole, fixture, wire or distributing pole is so ordered to be changed, the change shall be made by and at the expense of the owner, in conformity with the order, within such time as may be prescribed in the order of removal, and if not so changed, the commissioner of public works may cause such change to be made and the expense thereof may be recovered of the owners or users by an action at law in behalf of the city.

Enforcement of provisions, etc.

Section 12. The supreme judicial court, or any justice thereof, and the superior court or any justice thereof, shall, on petition of the mayor or commissioner of public works of said city, have jurisdiction in equity to enforce the provisions of this act or any order of the mayor and city council issued under the authority hereof, and to compel compliance therewith.

Section 13. This act shall take effect upon its passage.

Approved May 29, 1913.

Chap. 724 An Act relative to the use of prison-made goods by the public institutions of towns.

Be it enacted, etc., as follows:

Duties of state board of charity relative to certain prison-made goods.

The state board of charity, upon the application of the prison commissioners, may establish the style, designs and qualities of the articles and materials to be made by the labor of prisoners for use in the public institutions of towns, as provided by section forty-five of chapter two hundred and twenty-five of the Revised Laws, as amended by chapter five hundred and sixty-five of the acts of the year nineteen hundred and twelve. *Approved May 29, 1913.*

Chap. 725 An Act to establish the salary of the court officer of the municipal court of the Dorchester district of the city of Boston.

Be it enacted, etc., as follows:

Salary established.

The salary of the court officer of the municipal court of the Dorchester district of the city of Boston shall be twelve hundred dollars a year, to be so allowed from the first day of March in the current year. *Approved May 29, 1913.*

Chap. 726 An Act to establish the salaries of the assistant clerks of the municipal court of the city of Boston for civil business.

Be it enacted, etc., as follows:

Salaries established.

Section 1. There shall be paid annually to the assistant clerks of the municipal court of the city of Boston for civil business the following salaries: — The first assistant clerk, the sum of twenty-seven hundred dollars; the second assistant clerk, the sum of twenty-two hundred dollars; the third and fourth assistant clerks, the sum of two thousand dollars each; and the fifth and sixth assistant clerks, the sum of seventeen hundred dollars each.

Section 2. This act shall take effect upon its passage. *Approved May 29, 1913.*

Chap. 727 An Act relative to the issuing of notes by fire, water, watch, light and improvement districts.

Be it enacted, etc., as follows:

Director of bureau of statistics to

Section 1. The director of the bureau of statistics shall prepare for the use of the treasurer of each fire, water,

watch, light and improvement district now or hereafter created in accordance with any statute of the commonwealth, forms for the issue of notes for money borrowed by such districts. Every such note shall state upon its face the amount of the same; the date of issue, which date shall be construed as the date from which interest is payable; the date when it will become due for payment; and such other matter as the director of the bureau of statistics may deem necessary; and a record of every such note shall be kept by the treasurer of the district in such form as the director of the bureau of statistics may designate.

prepare forms for issue of notes by fire districts, etc.

Section 2. Whenever a fire, water, watch, light or improvement district wishes to borrow money in anticipation of revenue or for any other purpose, the treasurer thereof shall make a note or notes for the amount of the proposed loan and shall use one or more, in serial order, of the forms provided for in section one of this act, with the blank spaces thereon properly filled in, except that the rate of interest need not be designated prior to the certification of the note as hereinafter provided for. Every such note shall be signed by the treasurer, and a majority of the board of trustees or commissioners shall countersign and approve the same in the presence of the clerk of the district, who shall certify to the fact on the face of the note. The treasurer, after making a record of the transaction in accordance with the provisions of section one, shall forward every such note to the director of the bureau of statistics, together with a copy of said record, and a copy of the vote authorizing the loan, certified by the clerk of the district, and a certification by said clerk that the person whose signature appears upon the note as that of the treasurer was the duly authorized treasurer of the district at the date when such signature was made, and that the persons whose signatures appear upon the note as those of a majority of the trustees or commissioners of the district were the duly qualified trustees or commissioners when such signatures were made; and the treasurer shall furnish such other information in connection with the financial condition of the district as the director of the bureau of statistics may, in his judgment, require to enable him properly to certify the note as provided for in section three of this act; and he shall at the same time forward the fee provided for by section four of this act.

Treasurer of fire district, etc., to use serial forms of notes.

Notes, how signed.

Notes, when recorded, to be sent director of bureau of statistics for certification.

Fee.

Section 3. If, upon examination of a note forwarded to him as provided for by section two of this act, the director

Director of bureau of statistics to

certify and return notes, etc.

of the bureau of statistics finds that the note appears to have been duly issued in accordance with a vote of the district which authorized the same, or in accordance with an act of the general court, he shall so certify, and shall thereupon return the note by registered mail to the treasurer of the district or, under such regulations as he may prescribe and if so authorized by the treasurer with the approval of the trustees or commissioners of the district, he may deliver a certified note to the payee thereof. The director shall not certify any note payable on demand. The director is authorized to certify to the issue of a note, provided that the other conditions of this act have been complied with, on any date not earlier than three days prior to the date of issue as it appears on the note.

Demand note not to be certified.

Fees charged by director of bureau of statistics to be paid into treasury.

SECTION 4. The director of the bureau of statistics shall establish a reasonable fee to be charged for every note certified under the provisions of this act, but he is authorized to refund any fee collected in case a note is cancelled before any money is obtained thereon, and he shall turn over monthly to the treasurer of the commonwealth all fees collected, less the amount of refunds; and the treasurer of the commonwealth is authorized to refund the amount of any fee deposited with him by said director for the certification of any note which may be cancelled before money is obtained thereon.

Treasurer to refund fee on any note cancelled.

When note is paid, director, etc., to be notified.

SECTION 5. Whenever any note issued by a fire, water, watch, light or improvement district within the commonwealth, whether such note was issued before or after the passage of this act, shall become due and shall have been paid, the treasurer of such district shall immediately notify the director of the bureau of statistics of such payment.

Penalty.

SECTION 6. The treasurer of any fire, water, watch, light or improvement district who violates any provision of this act shall be liable to a fine of not less than one hundred nor more than five hundred dollars.

Time of taking effect.

SECTION 7. This act shall take effect on the first day of January, in the year nineteen hundred and fourteen.

Approved May 29, 1913.

Chap. 728 AN ACT RELATIVE TO THE EXAMINATION OF PERSONS ARRESTED FOR CRIMINAL OFFENCES.

Be it enacted, etc., as follows:

1913, 236, § 1, amended.

SECTION 1. Section one of chapter two hundred and thirty-six of the acts of the year nineteen hundred and

thirteen is hereby amended by inserting after the word "station", in the second line, the word: — or, — by striking out in said line the words "or other place", and by adding at the end of said section the following: — The requirement that the prisoner be examined shall not be deemed to compel the removal of clothing. When a person is transferred from one place of confinement to another prior to his arraignment in court or to his release, the requirement that he shall be examined shall apply only to the place to which he is first taken after his arrest. If any such person is confined in a police station, lockup or other place under the control of the metropolitan park commission, the report shall be made to said commission, — so as to read as follows: — *Section 1.* Whenever a person is arrested for a criminal offence and is taken to or confined in a jail, police station or lockup, the officer in charge thereof shall immediately examine the prisoner, and if he finds any bruises, cuts or other injuries shall forthwith make a written report thereof to the chief of police of the city or town concerned, except that in Boston the report shall be made to the police commissioner, and in towns where there is no chief of police the report shall be made to the selectmen. The requirement that the prisoner be examined shall not be deemed to compel the removal of clothing. When a person is transferred from one place of confinement to another prior to his arraignment in court or to his release, the requirement that he shall be examined shall apply only to the place to which he is first taken after his arrest. If any such person is confined in a police station, lockup or other place under the control of the metropolitan park commission, the report shall be made to said commission.

Report to be made of injuries found on persons arrested.

Section 2. This act shall take effect upon its passage.

Approved May 29, 1913.

An Act relative to dry houses in the city of boston. *Chap.* 729

Be it enacted, etc., as follows:

Section 1. No building or part of a building hereafter erected or altered in the city of Boston shall be used for kiln drying lumber unless such building or part of a building is of fireproof construction approved by the building commissioner.

Use of buildings for kiln drying lumber regulated.

Section 2. All acts and parts of acts inconsistent herewith are hereby repealed.

Repeal.

Section 3. This act shall take effect upon its passage.

Approved May 29, 1913.

Chap. 730 AN ACT TO PROVIDE FOR THE IMPROVEMENT OF THE HIGHWAY LEADING FROM HINSDALE TO CHESTER THROUGH MIDDLEFIELD.

Be it enacted, etc., as follows:

Improvement of highway from Hinsdale to Chester.

SECTION 1. The Massachusetts highway commission is hereby authorized to expend the sum of ten thousand dollars during the present year in the construction and improvement of the highway between the present easterly terminus of the state highway in the town of Hinsdale leading through Peru and Middlefield to the present westerly terminus of the state highway in the town of Chester in order that said way may be made safe and convenient for public travel. Neither said way nor any part thereof shall thereby become a state highway, but the way shall be maintained and kept in good repair by the town or towns in which it is situated until such time as it shall become a state highway. This act shall not be construed as prohibiting the laying out and construction of said way or any part thereof as a state highway under the laws applicable thereto whenever said commission shall deem it expedient so to do. Any unexpended balance of the sum hereby authorized to be expended may be used in the succeeding year for the same purpose.

Issue of bonds, etc.

SECTION 2. For the purpose of meeting the expenditures hereby authorized, the treasurer and receiver general is hereby empowered, with the approval of the governor and council, to issue bonds or certificates of indebtedness to an amount not exceeding ten thousand dollars for a term not exceeding fifteen years. Such bonds or certificates of indebtedness shall be issued as registered bonds or with interest coupons attached, and shall bear interest at a rate not exceeding four per cent per annum, payable semi-annually. They shall be designated on their face, State Highway Loan, shall be countersigned by the governor and shall be deemed a pledge of the faith and credit of the commonwealth; and the principal and interest thereof shall be paid at the time specified therein in gold coin of the United States or its equivalent. They shall be sold at public auction, or disposed of in such other manner, at such times and prices, in such amounts and at such rates of interest, not exceeding the rate above specified, as shall be deemed best.

State Highway Loan.

SECTION 3. This act shall take effect upon its passage.

Approved May 29, 1913.

An Act to provide for the improvement of a highway between the towns of Dalton and Goshen in the counties of Berkshire and Hampshire. *Chap.* 731

Be it enacted, etc., as follows:

Improvement of highway between the towns of Dalton and Goshen.

Section 1. In addition to any sums heretofore appropriated for that purpose, the Massachusetts highway commission is hereby authorized to expend the sum of ten thousand dollars during the present year in the construction and improvement of the highway between the present easterly terminus of the state highway in the town of Dalton and the present westerly terminus of the state highway in the town of Goshen, in order that said way may be made safe and convenient for public travel. Neither said way nor any part thereof shall thereby become a state highway, but the way shall be maintained and kept in good repair by the town or towns in which it is situated until such time as it shall become a state highway. This act shall not be construed as prohibiting the laying out and construction of said way or any part thereof as a state highway under the laws applicable thereto whenever said commission shall deem it expedient so to do. Any unexpended balance of the sum hereby authorized to be expended may be used in the succeeding year for the same purpose.

Issue of bonds, etc.

Section 2. For the purpose of meeting the expenditures hereby authorized, the treasurer and receiver general is hereby empowered, with the approval of the governor and council, to issue bonds or certificates of indebtedness to an amount not exceeding ten thousand dollars for a term not exceeding fifteen years. Such bonds or certificates of indebtedness shall be issued as registered bonds or with interest coupons attached, and shall bear interest at a rate not exceeding four per cent per annum, payable semi-annually. They shall be designated on their face, State Highway Loan, shall be countersigned by the governor and shall be deemed a pledge of the faith and credit of the commonwealth; and the principal and interest thereof shall be paid at the time specified therein in gold coin of the United States or its equivalent. They shall be sold at public auction, or disposed of in such other manner, at such times and prices, in such amounts and at such rates of interest, not exceeding the rate above specified, as shall be deemed best.

State Highway Loan.

Section 3. This act shall take effect upon its passage.

Approved May 29, 1913.

Chap. 732 AN ACT TO AUTHORIZE THE TOWN OF SOUTH HADLEY TO INCUR INDEBTEDNESS FOR A TOWN HALL AND HIGH SCHOOL BUILDING.

Be it enacted, etc., as follows:

South Hadley Town Hall and High School Loan, Act of 1913.

SECTION 1. The town of South Hadley, for the purpose of constructing and equipping a combined town hall and high school building, may issue from time to time bonds or notes of the town to an amount not exceeding in the aggregate seventy thousand dollars, and twenty thousand dollars of the securities so issued shall not be reckoned in determining the statutory limit of indebtedness of the town. Such bonds or notes shall bear on their face the words, South Hadley Town Hall and High School Loan, Act of 1913, Exempt from Taxation in Massachusetts, and shall be payable by such annual payments, beginning not more than one year after the date of each loan, as will extinguish each loan within twenty years from its date. The amount of such annual payment of any loan in any year shall not be less than the amount of the principal of such loan payable in any subsequent year. Each authorized issue of bonds or notes shall constitute a separate loan. Said bonds or notes shall bear interest at a rate not exceeding five per cent per annum, payable semi-annually; and shall be signed by the treasurer of the town, and countersigned by a majority of the selectmen. The town may sell the said securities at public or private sale, but they shall not be sold for less than their par value, and the proceeds shall be used only for the purposes specified in this act.

Payment of loan.

SECTION 2. Said town shall, at the time of authorizing said loan or loans, provide for the payment thereof in accordance with the provisions of section one of this act; and when a vote to that effect has been passed, a sum which will be sufficient to pay the interest as it accrues on the bonds or notes issued as aforesaid by the town, and to make such payments on the principal as may be required under the provisions of this act, shall, without further vote, be assessed by the assessors of the town annually thereafter, in the same manner in which other taxes are assessed, until the debt incurred by said loan or loans is extinguished.

Certain vote of town ratified.

SECTION 3. The vote passed by said town at a meeting held May twelfth, nineteen hundred and thirteen, to borrow a sum not exceeding seventy thousand dollars for the

purpose of erecting a town hall and high school building, is hereby ratified and confirmed.

Section 4. This act shall take effect upon its passage.

Approved May 29, 1913.

An Act relative to the department of the quartermaster general of the militia. *Chap.* 733

Be it enacted, etc., as follows:

Section 1. Section thirty-nine of chapter six hundred and four of the acts of the year nineteen hundred and eight, as amended by section two of chapter three hundred and forty-eight of the acts of the year nineteen hundred and ten, and by chapter seven hundred and forty-seven of the acts of the year nineteen hundred and eleven, is hereby further amended by striking out the words "twelve hundred", in the second and third lines, and inserting in place thereof the words: — two thousand, — by striking out the words "He may receive in the storehouse at the state camp ground, from the several militia organizations, such articles of personal property used for military camping purposes as can be kept therein, which articles shall be received and delivered at the expense of the owners and held at their risk", in the thirty-third, thirty-fourth, thirty-fifth, thirty-sixth and thirty-seventh lines; by striking out the words "two clerks with salaries of eighteen hundred dollars and twelve hundred dollars per annum, respectively", in the fifty-third, fifty-fourth and fifty-fifth lines, and inserting in place thereof the words: — one clerk, with a salary of two thousand dollars per annum, — by striking out the word "clerks", in the sixty-fourth line, and inserting in place thereof the word: — clerk, — and by striking out the word "twenty-four", in the sixty-seventh line, and inserting in place thereof the word: — fifty-six, — so as to read as follows: — *Section 39.* The quartermaster general shall receive a compensation not exceeding two thousand dollars a year. The deputy quartermaster general shall receive compensation not exceeding eight hundred dollars a year, to be paid out of the appropriation for maintenance of armories of the first class. The quartermaster general shall give bond to the commonwealth in the penal sum of twenty thousand dollars, with two sureties at least, to be approved by the governor and council, conditioned faithfully to perform the duties of his office, to use all necessary diligence and care in the safe keeping of military

1908, 604, § 39, etc., amended.

Quartermaster general, compensation, etc.

stores and property of the commonwealth committed to his custody, and to account for and deliver over to his successor or to any other person authorized to receive the same, such stores and property. The commander-in-chief may require the duties imposed upon the quartermaster general to be performed by any member of that department, who shall in that case give bond to the commonwealth in like manner as is required of the quartermaster general. The quartermaster general, under the orders of the commander-in-chief, shall have the care and control of the state camp ground and all other land held for military purposes, of all state arsenals and magazines, of the soldiers' burial lot and monument at Dedham, and of all military property of the commonwealth except such as is by law expressly intrusted to the keeping of other officers. He shall purchase or draw by requisition from the United States and shall issue all arms, ammunition, clothing, camp equipage and military supplies and stores of every description, except surgical instruments and medical supplies. He shall procure and provide means of transport for the militia and for all its implements, munitions of war and military supplies; such transportation to be in kind whenever practicable. He shall, at the public expense, provide suitable places for the safe keeping of all munitions of war, intrenching tools and all other implements of war. Such tools and implements shall be designated as the property of the commonwealth by suitable permanent brands or marks on each of them. He may allow annually proper accounts for the repairs of uniforms and equipments. He shall adjust all accounts relating to loans of state military property to cities and towns, institutions and schools, and shall require annual returns of such property and of its condition, at such times and in such manner as he may direct, and may at any time, under the direction of the commander-in-chief, recover the whole or any part of such property as he may deem best for the commonwealth. He may employ the following clerical assistants: one superintendent of armories, with a salary of eighteen hundred dollars per annum; one clerk, with a salary of two thousand dollars per annum; one stenographer, with a salary of nine hundred dollars per annum; one watchman, with a salary of eight hundred dollars per annum. The actual transportation expenses of the superintendent of armories, in visiting the various armories of the state, under the

To have care and control of state camp ground, etc.

Clerical assistance, etc.

direction of the quartermaster general, shall be paid from the appropriation for maintenance of armories of the first class. The superintendent of the arsenal shall receive fifteen hundred dollars a year, and shall be in the quartermaster general's department, as a clerk in addition to the clerk above named. The quartermaster general may employ such additional clerks and other assistants as may be necessary in his department, at an expense not exceeding fifty-six hundred dollars a year.

Section 2. This act shall take effect upon its passage.

Approved May 29, 1913.

An Act to provide for constructing four tracks on the main line of the Boston and Maine Railroad between the city of Boston and the town of Reading. *Chap.* 734

Be it enacted, etc., as follows:

Construction of additional tracks by the Boston and Maine Railroad between Boston and Reading.

Section 1. The Boston and Maine Railroad is hereby authorized to construct and maintain upon and adjacent to the present location of its main line between Boston and Reading four tracks, said four tracks to include the two tracks already in use, and to acquire upon each side of its present location property necessary and proper therefor.

Estimates of cost to be filed, etc.

Section 2. The Boston and Maine Railroad shall file with the board of railroad commissioners an estimate or estimates of the cost of constructing such additional tracks, which shall include the cost of any taking of additional property if such is necessary. The board of railroad commissioners, upon application of the said corporation, shall approve the amount of stock, bonds, coupon notes, or other evidences of indebtedness deemed necessary for the purpose of providing funds for the construction of the work hereby authorized. *Approved May 29, 1913.*

An Act to authorize the city of Boston to pay a sum of money to John Chambers. *Chap.* 735

Be it enacted, etc., as follows:

City of Boston may pay a sum of money to John Chambers.

Section 1. The city of Boston may pay a sum of money, not exceeding one hundred dollars, to John Chambers, an employee of the street cleaning department of that city,

on account of serious injuries sustained by him in the month of January last, while in the discharge of his duty as such employee.

Time of taking effect.

SECTION 2. This act shall take effect upon its acceptance by the city council of the city of Boston, with the approval of the mayor. *Approved June 4, 1913.*

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*Chap.*736 AN ACT TO ESTABLISH THE SALARIES OF THE ASSISTANT CLERKS IN THE MUNICIPAL COURT OF THE CITY OF BOSTON FOR CRIMINAL BUSINESS.

Be it enacted, etc., as follows:

Salaries established.

SECTION 1. The assistant clerks of the municipal court of the city of Boston for criminal business shall receive from the county of Suffolk annually salaries as follows: The first assistant clerk the sum of twenty-seven hundred dollars; the second and third assistant clerks the sum of twenty-two hundred dollars each, the fourth, fifth and sixth assistant clerks the sum of seventeen hundred dollars each, and the seventh assistant clerk the sum of sixteen hundred dollars.

Repeal.

SECTION 2. So much of any act as is inconsistent herewith is hereby repealed.

SECTION 3. This act shall take effect upon its passage. *Approved June 4, 1913.*

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*Chap.*737 AN ACT TO ESTABLISH THE SALARY OF THE FIRST ASSISTANT REGISTER OF DEEDS OF THE COUNTY OF SUFFOLK.

Be it enacted, etc., as follows:

Salary established.

SECTION 1. The salary of the first assistant register of deeds of the county of Suffolk shall be three thousand dollars a year.

SECTION 2. This act shall take effect upon its passage. *Approved June 4, 1913.*

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*Chap.*738 AN ACT TO ESTABLISH THE SALARIES OF THE JUDGE AND ASSOCIATE JUDGE OF THE LAND COURT.

Be it enacted, etc., as follows:

Salaries established.

SECTION 1. The salaries of the judge and associate judge of the land court shall be eight thousand dollars a year each.

SECTION 2. This act shall take effect upon its passage. *Approved June 4, 1913.*

An Act to authorize the pensioning of James F. Mitchell. *Chap.*739

Be it enacted, etc., as follows:

County of Suffolk may pension James F. Mitchell.

Section 1. James F. Mitchell, a court officer of the municipal court of the city of Boston shall, at his request, be retired from active service and placed upon the pension roll by the said court: *provided*, that he is certified in writing by a physician designated by the court to be permanently disabled, mentally or physically, from further service by reason of injuries or illness sustained or incurred through no fault of his in the actual performance of his duty as an officer of the law. The said Mitchell shall receive an annual pension equal to one half of the compensation received by him at the time of his retirement, to be paid by the county of Suffolk. Proviso.

Section 2. This act shall take effect upon its passage.

Approved June 4, 1913.

An Act to authorize the city of Brockton to take land for high school purposes. *Chap.*740

Be it enacted, etc., as follows:

City of Brockton may take land for high school purposes.

Section 1. The city council of the city of Brockton, with the approval of the mayor, may by a majority vote of each branch of the city council, take in fee for the purpose of erecting a high school building thereon a certain parcel of land with the buildings thereon, situated in Brockton and bounded as follows: on the north by land owned by the city of Brockton and known as the high school lot; on the east by Warren avenue; on the south by West Elm street; and on the west by Goddard road.

Section 2. This act shall take effect upon its passage.

Approved June 4, 1913.

An Act to authorize the metropolitan park commission to rebuild a certain sea wall on Broad canal in the city of Cambridge. *Chap.*741

Be it enacted, etc., as follows:

Rebuilding of sea wall on Broad canal in the city of Cambridge.

Section 1. The metropolitan park commission is hereby authorized and required to rebuild the sea wall on the premises of the estate of John J. Horgan on Broad canal in the

city of Cambridge according to a plan or plans mutually agreed upon by the commission and the legal representatives of the estate of John J. Horgan, deceased, and to drive sheeting, if the commission deems it necessary in the prosecution of the work: *provided, however,* that before the commission does any work under authority of this act the legal representatives of the said estate of John J. Horgan shall execute and deliver to the commission an agreement under seal to defend the commission and its employees and agents, and the commissioners personally and their successors, against all claims of every name and nature which may be prosecuted at law or in equity on account of reducing the navigable width of the canal or on account of any acts of the commission in carrying out the provisions of this act, and to save harmless from all damages the commonwealth, the commission and its employees and agents, and the commissioners personally and their successors, in any action brought as aforesaid, and expressly providing that the legal representatives of said estate of John J. Horgan shall hold the commonwealth, the commission, its members and their successors, and its employees and agents harmless against all damages to buildings or other property of the estate of John J. Horgan resulting from the carrying out of the provisions of this act, and also providing that the legal representatives of the estate of John J. Horgan shall repay to the commonwealth one third part of the expense incurred by the commission hereunder, and further providing that, after the completion of the work done by the commission under authority of this act, no repairs on, or rebuilding of, said walls or wharves shall be required to be done by the commonwealth, and upon the further conditions that, as the work progresses, the legal representatives of the said estate of John J. Horgan shall remove buildings or parts of buildings as the commission or its employees may require, and shall prevent stone and earth from sliding into any excavation made by the commission for rebuilding the wall, and shall provide storage room on the property for the earth and stone excavated by the commission in rebuilding the wall, and shall permit the commission to occupy such space as it may require for the prosecution of the work; and *provided, further,* that before the said commission shall do any work hereunder the legal representatives of the said estate of John J. Horgan shall execute and de-

Provisos.

liver a bond satisfactory to the commission both as to amount and otherwise, with a surety or sureties approved by said commission, guaranteeing the faithful performance upon the part of the legal representatives of the said estate of John J. Horgan of the agreements herein provided to be made and performed upon their part.

Section 2. For the purpose of carrying out the provisions of this act the metropolitan park commission may expend a sum not exceeding seventy-five hundred dollars, to be paid out of the Charles River Basin Maintenance Fund. Expenditure.

Section 3. This act shall take effect upon its passage.

Approved June 6, 1913.

An Act to provide for the police control of Lake Quinsigamond. *Chap.* 742

Be it enacted, etc., as follows:

Section 1. The harbor and land commissioners shall hereafter make provision for the policing of Lake Quinsigamond, so-called, in the county of Worcester. For the purposes of this act the said commissioners are authorized and directed to file and cause to be recorded in the Worcester district registry of deeds a description sufficiently accurate for identification of a certain tract of land to be called the Lake Quinsigamond District, situated partly in the city of Worcester and partly in the towns of Shrewsbury, Grafton and Millbury, and including within its limits Lake Quinsigamond. Said district shall consist of the waters of said lake and the lands within one hundred feet of said lake throughout its entire extent, including all ponds and streams connected therewith so far as they are navigable by pleasure boats or canoes; also all the land included in the district bounded by Lincoln street, Lake avenue, Harrington street, the Shrewsbury and Grafton road, North Quinsigamond avenue and South Quinsigamond avenue, including said roads, streets and avenues, or so much of the territory above described as the said commissioners shall deem expedient or proper for the purposes of this act. Policing of Lake Quinsigamond District. Limits defined.

Section 2. The said commissioners shall have the same power to provide for the proper policing of said district, and to make rules for the protection of health, life and property within said district as that granted to the metropolitan park Powers of harbor and land commissioners.

commission in the territory placed in its care; but this act shall not impair the present powers of said commission in the premises.

Powers of police officers, etc.

SECTION 3. The constables and police officers of the city of Worcester and town of Shrewsbury may exercise throughout the district the powers which they have by law in their respective municipalities.

Assessment of expense.

SECTION 4. The said commissioners may expend for the purposes of this act the sum of twenty-five thousand dollars annually, to be allowed and paid out of the treasury of the commonwealth, and such additional sums as the general court may from time to time appropriate for such purpose. On or before the fifteenth day of June in each year the sum or sums so expended during the preceding year shall be certified by the said commissioners to the treasurer and receiver general, and the amount so certified, with interest thereon at the rate of four per cent per annum from the date of certification to the date of payment, shall be included by the treasurer and receiver general in the amounts charged to the city of Worcester and to the town of Shrewsbury, and shall be assessed upon said city and town in the apportionment and assessment of the state tax next following said certification.

Annual report, etc.

SECTION 5. Said commissioners shall report to the general court not later than the fifteenth day of January in each year their doings under this act, and may make such recommendations as to taking land and imposing restrictions as they may deem advisable.

Time of taking effect.

SECTION 6. This act shall take effect upon its acceptance, within one year after its passage, by the mayor and city council of the city of Worcester and by a majority of the voters of the town of Shrewsbury present and voting thereon at an annual town meeting or at a special meeting of said town called for the purpose; but unless so accepted, this act shall be void. *Approved June 6, 1913.*

Chap. 743 AN ACT RELATIVE TO THE MANUFACTURE AND SALE OF ICE CREAM.

Be it enacted, etc., as follows:

Manufacture and sale of ice cream regulated.

SECTION 1. Substances manufactured and sold under the general name of "ice cream" shall contain not less than seven per cent of milk fat, and if flavored with fruit shall be

flavored only with sound, clean, matured fruit, and if containing nuts shall contain only sound, matured, non-rancid nuts.

Section 2. Violation of the provisions of this act shall be punished, at the discretion of the court, by a fine not exceeding one hundred dollars. Penalty.

Section 3. Inspectors of milk shall have the same authority in regard to any suspected violation of any provision of this act and relative to the enforcement thereof which they have under section forty-two of chapter fifty-six of the Revised Laws. Enforcement of act.

Approved June 6, 1913.

An Act to provide for the protection of moose. *Chap.* 744

Be it enacted, etc., as follows:

Chapter five hundred and twenty-nine of the acts of the year nineteen hundred and thirteen is hereby amended by inserting after section four the following new section: — 1913, 529, amended.

Section 5. The provisions of this act authorizing the killing of deer under the circumstances and at the times specified above shall not apply to moose; and it shall be unlawful in this commonwealth to hunt, pursue, take, wound or kill a moose at any time, or to sell, offer for sale, or to have in possession the flesh of a moose captured or killed in this commonwealth. Protection of moose.

Approved June 6, 1913.

An Act relative to the construction and improvement of buildings at the Massachusetts Agricultural College. *Chap.* 745

Be it enacted, etc., as follows:

Section 1. The provisions of chapter five hundred and twenty of the acts of the year nineteen hundred and seven, relative to the construction and improvement of buildings at state and other institutions, shall apply to the Massachusetts Agricultural College. Certain provisions of law to apply to the Massachusetts Agricultural College.

Section 2. This act shall take effect upon its passage.

Approved June 6, 1913.

Chap. 746 AN ACT RELATIVE TO THE REPORTS REQUIRED IN RESPECT TO INDUSTRIAL ACCIDENTS.

Be it enacted, etc., as follows:

1911, 751, Part III, § 18, amended.

SECTION 1. Section eighteen of Part III of chapter seven hundred and fifty-one of the acts of the year nineteen hundred and eleven is hereby amended by striking out the said section and inserting in place thereof the following: — *Section 18.* Every employer shall hereafter keep a record of all injuries, fatal or otherwise, received by his employees in the course of their employment. Within forty-eight hours, not counting Sundays and legal holidays, after the occurrence of an injury, a report thereof shall be made in writing to the industrial accident board on blanks to be procured from the board for the purpose. Upon the termination of the disability of the injured employee, the employer shall make a supplemental report upon blanks to be procured from the board for that purpose. If the disability extends beyond a period of sixty days, the employer shall report to the board at the end of such period that the injured employee is still disabled, and upon the termination of the disability shall file a final supplemental report as provided above.

Record of injuries to be kept, etc.

Supplemental report.

Contents of report.

The said reports shall contain the name and nature of the business of the employer, the situation of the establishment, the name, age, sex, and occupation of the injured employee, and shall state the date and hour of any accident causing the injury, the nature and cause of the injury, and such other information as may be required by the board.

Penalty.

Any employer who refuses or neglects to make the report required by this section shall be punished by a fine of not more than fifty dollars for each offence.

Copies of all reports of injuries filed by employers with the industrial accident board and all statistics and data compiled therefrom shall be kept available by the said board, and shall be furnished on request to the state board of labor and industries for its own use.

Statement to be filed, etc.

Within sixty days after the termination of the disability of the injured employee, the association or other party liable to pay the compensation provided for by Part II of this act shall file with the board a statement showing the total payments made or to be made for compensation and for medical services for such injured employee.

Section 2. Section one hundred and forty-four of chapter five hundred and fourteen of the acts of the year nineteen hundred and nine, as amended by chapter four hundred and nine of the acts of the year nineteen hundred and twelve, and section thirteen of chapter seven hundred and twenty-six of the acts of the year nineteen hundred and twelve are hereby repealed. Repeal.

Section 3. This act shall take effect on the first day of July, nineteen hundred and thirteen. Time of taking effect.

Approved June 6, 1913.

An Act to establish the salary of Robert B. Worthington as assistant clerk of courts for the county of Norfolk. *Chap.* 747

Be it enacted, etc., as follows:

Section 1. The salary of Robert B. Worthington, as the assistant clerk of courts for the county of Norfolk, shall be twenty-five hundred dollars a year. Salary established.

Section 2. This act shall take effect upon its passage.

Approved June 6, 1913.

An Act to establish the salaries of the justice and clerk of the municipal court of the Brighton district of the city of Boston. *Chap.* 748

Be it enacted, etc., as follows:

Section 1. The salaries of the justice and clerk of the municipal court of the Brighton district of the city of Boston shall be two thousand dollars and twelve hundred dollars, respectively. Salaries established.

Section 2. So much of chapter six hundred and four of the acts of the year nineteen hundred and twelve as is inconsistent herewith is hereby repealed. Repeal.

Section 3. This act shall take effect upon its passage.

Approved June 6, 1913.

An Act to authorize the Watuppa water board of the city of Fall River to expend money for extensions of water supply service. *Chap.* 749

Be it enacted, etc., as follows:

Section 1. The Watuppa water board of the city of Fall River may expend for such extensions of the water Expenditure for extension of water

supply service in Fall River.

supply service in the said city as may be ordered by said board a sum not exceeding thirty-five thousand dollars in any one year.

Repeal.

SECTION 2. All acts and parts of acts inconsistent herewith are hereby repealed, and all ordinances and parts of ordinances of said city inconsistent herewith are hereby annulled.

SECTION 3. This act shall take effect upon its passage.

Approved June 6, 1913.

Chap. 750 AN ACT RELATIVE TO MUTUAL LIABILITY INSURANCE COMPANIES.

Be it enacted, etc., as follows:

1911, 251, § 1, etc., amended.

SECTION 1. Section one of chapter two hundred and fifty-one of the acts of the year nineteen hundred and eleven, as amended by chapter three hundred and eleven of the acts of the year nineteen hundred and twelve, is hereby further amended by inserting after the word "responsible", in the seventh line, the words: — and to transact any other form of liability insurance which stock companies may be authorized by law to transact, — so as to read as follows: —

Incorporation of insurance companies on the mutual plan, etc.

Section 1. Ten or more persons who are residents of this commonwealth may form an insurance company on the mutual plan to insure any person, firm or corporation against loss or damage on account of the bodily injury or death by accident of any person, or against damage caused by automobiles to property of another, for which loss or damage such person, firm or corporation is responsible, and to transact any other form of liability insurance which stock companies may be authorized by law to transact. The corporation shall be formed in the manner described in, and be subject to, the provisions of sections fifteen to twenty, inclusive, of chapter one hundred and ten of the Revised Laws, except as is otherwise provided herein. Mutual companies doing business and organized prior to April sixth, nineteen hundred and eleven, to transact employers' liability business may have and exercise all the rights and powers conferred by this section upon companies which may be organized hereunder, but such rights and powers shall not be exercised unless authorized by a two thirds vote of the policy-holders present and voting at a meeting duly called for that purpose.

SECTION 2. This act shall take effect upon its passage.

Approved June 6, 1913.

An Act relative to the Wadsworth Cemetery Association. *Chap.* 751

Be it enacted, etc., as follows:

Time for organization extended.

Section 1. Chapter one hundred and twenty-five of the acts of the year nineteen hundred and eleven, being "An Act to incorporate the Wadsworth Cemetery Association", shall not be void on account of the failure of said corporation to organize within two years after the passage of said act, and said corporation is hereby authorized to organize at any time not later than the first day of January, nineteen hundred and fourteen. Upon such organization and the making and filing of the certificate required by law, said chapter shall have the same effect, and said corporation shall have the same powers and authority and be subject to the same obligations, as would have been the case if the organization of the corporation had been completed within two years after the passage of said act.

Section 2. This act shall take effect upon its passage.

Approved June 6, 1913.

An Act relative to the contracting of marriages. *Chap.* 752

Be it enacted, etc., as follows:

List of legal impediments to marriage to be posted, etc.

Section 1. The secretary of the commonwealth shall furnish to the clerk or registrar of every city and town a printed list of all legal impediments to marriage, and it shall be the duty of the city or town clerk or registrar forthwith to post and thereafter to maintain the same in a conspicuous place in his office.

R. L. 151, § 17, etc., amended.

Section 2. Section seventeen of chapter one hundred and fifty-one of the Revised Laws, as amended by chapter one hundred and twenty of the acts of the year nineteen hundred and twelve, is hereby further amended by striking out the word "may", in the second and fifth lines, and inserting in place thereof, in each case, the word: — shall, — by inserting after the word "knowledge", in the eighth line, the following: — and also to make oath that there are no legal impediments to such intended marriage, — so as to read as follows: — *Section 17.* The clerk or registrar shall require notice of intention of marriage to be given to him in writing, on blanks to be furnished by him, by one of the parties to such intended marriage, or by his or her parent or

Notice of intention of marriage.

legal guardian, and shall require the party who gives such notice to make oath before him to the truth of all the statements therein, whereof he or she could have knowledge, and also to make oath that there are no legal impediments to such intended marriage. In cities or towns having an assistant clerk or registrar he may administer the oath. No fee shall be charged for administering such oath.

Penalties.

SECTION 3. Whoever violates any provision of section one hereof or any provision of section seventeen of chapter one hundred and fifty-one of the Revised Laws, as heretofore and hereby amended, and whoever falsely swears or affirms in making any statement required by the provisions of the last named section as amended, shall be punished by fine or imprisonment at the discretion of the court.

Time of taking effect.

SECTION 4. This act shall take effect on the first day of January in the year nineteen hundred and fourteen.

Approved June 6, 1913.

Chap. 753 AN ACT RELATIVE TO AN ADDITIONAL WATER LOAN FOR THE TOWN OF HUDSON.

Be it enacted, etc., as follows:

1907, 439, § 1, amended.

SECTION 1. Section one of chapter four hundred and thirty-nine of the acts of the year nineteen hundred and seven is hereby amended by inserting after the word "four", in the tenth line, the words: — and one half, — so as to read as follows: — *Section 1.* The town of Hudson, for the purposes mentioned in section five of chapter one hundred and forty-nine of the acts of the year eighteen hundred and eighty-three, is hereby authorized to issue notes, bonds or scrip, to be denominated on the face thereof, Hudson Water Loan, Act of 1907, to an amount not exceeding fifty thousand dollars, in addition to the amounts heretofore authorized by law to be issued by said town for the same purposes. Such notes, bonds or scrip shall bear interest at a rate not exceeding four and one half per cent per annum, and, except as otherwise provided herein, shall be issued upon the terms and conditions and with the powers specified in said chapter: *provided*, that the whole amount of such notes, bonds or scrip issued by said town, together with those heretofore issued by the town for the same purposes, shall not exceed the sum of two hundred and twenty-five thousand dollars.

Hudson Water Loan, Act of 1907.

Proviso.

Duty of town treasurer.

SECTION 2. The treasurer of the town of Hudson, with the approval of a majority of the commissioners of public

works, is hereby authorized to issue the said bonds or notes in accordance with the provisions of said chapter four hundred and thirty-nine as amended hereby, without further action by the town.

Section 3. This act shall take effect upon its passage.

Approved June 6, 1913.

An Act relative to an additional loan for sewerage purposes for the town of hudson. *Chap.* 754

Be it enacted, etc., as follows:

Section 1. Section one of chapter one hundred and seventy of the acts of the year nineteen hundred and ten is hereby amended by inserting after the word "four", in the fourteenth line, the words: — and one half, — so as to read as follows: — *Section 1.* The town of Hudson, for the purposes specified in chapter one hundred and twenty-eight of the acts of the year eighteen hundred and ninety-five and for the extension of its system of sewerage and sewage disposal therein mentioned, may incur indebtedness to an amount not exceeding twenty-five thousand dollars, in addition to the amount already authorized by law, and may issue from time to time bonds or notes therefor; and said indebtedness shall not be reckoned in determining the statutory limit of indebtedness of the town. Such bonds or notes shall bear on their face the words, Hudson Sewerage Loan, Act of 1910, shall be payable within periods not exceeding thirty years from the dates of issue, and shall bear interest, payable semi-annually, at a rate not exceeding four and one half per cent per annum. They shall be signed by the treasurer of the town and countersigned by a majority of the selectmen. The town may from time to time sell such securities or any part thereof at public or private sale, or pledge the same for money borrowed for the purposes of this act: *provided*, that they shall not be sold at less than the par value thereof.

1910, 170, § 1, amended.

Hudson Sewerage Loan, Act of 1910.

Proviso.

Section 2. The treasurer of the town of Hudson, with the approval of a majority of the selectmen, is hereby authorized to issue the said bonds or notes in accordance with the provisions of said chapter one hundred and seventy as amended hereby, without further action by the town.

Duty of town treasurer.

Section 3. This act shall take effect upon its passage.

Approved June 6, 1913.

*Chap.*755 AN ACT TO AUTHORIZE THE LOWERING OF THE METROPOLITAN WATER MAINS IN CHELSEA CREEK.

Be it enacted, etc., as follows:

Lowering of metropolitan water mains in Chelsea creek.

SECTION 1. The metropolitan water and sewerage board is hereby authorized to lower the metropolitan water mains in Chelsea creek to a sufficient depth to permit the carrying out of the improvements in said creek provided for by an act of the congress of the United States passed in the year nineteen hundred and twelve, and may sink shafts, construct a tunnel and do any other act or thing necessary to comply with the requirements of said act.

Issue of bonds, etc.

SECTION 2. To meet the expenditures incurred under the provisions of this act the treasurer and receiver general shall issue from time to time, upon the request of said board, bonds in the name and behalf of the commonwealth, to be designated on the face thereof, Metropolitan Water Loan, to an amount not exceeding seventy-five thousand dollars in addition to the amount of such bonds heretofore authorized under the provisions of chapter four hundred and eighty-eight of the acts of the year eighteen hundred and ninety-five and acts in amendment thereof and in addition thereto, and the provisions of said chapter four hundred and eighty-eight and of said acts shall apply to this additional loan.

SECTION 3. This act shall take effect upon its passage.

Approved June 6, 1913.

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*Chap.*756 AN ACT TO AUTHORIZE THE TOWN OF FRANKLIN TO MAKE AN ADDITIONAL WATER LOAN.

Be it enacted, etc., as follows:

Town of Franklin Water Loan, Act of 1913.

SECTION 1. The town of Franklin, for the purpose of extending and improving its water service, may issue from time to time bonds or notes to an amount not exceeding fifty thousand dollars, in addition to amounts heretofore authorized by law to be issued by said town for water supply purposes. Bonds or notes issued under authority of this act shall bear on their face the words, Town of Franklin Water Loan, Act of 1913; shall be payable by such annual payments, beginning not more than one year after the date thereof, as will extinguish each loan within thirty years from its date; but the amount of such annual payment of

any loan in any year shall not be less than the amount of the principal of said loan payable in any subsequent year. Each authorized issue of bonds or notes shall constitute a separate loan. Said bonds or notes shall bear interest at a rate not exceeding four and one half per cent per annum, payable semi-annually; and shall be signed by the treasurer of the town and countersigned by the water and sewer commissioners. The town may sell such bonds or notes at public or private sale, upon such terms and conditions as it may deem proper, but they shall not be sold for less than their par value.

Payment of loan.

Section 2. Said town shall, at the time of authorizing said loan or loans, provide for the payment thereof in accordance with section one of this act; and when a vote to that effect has been passed, a sum which, with the income derived from water rates, will be sufficient to pay the annual expense of operating its water works and the interest as it accrues on the bonds or notes issued as aforesaid by the town, and to make such payments on the principal as may be required under the provisions of this act, shall without further vote be assessed by the assessors of the town annually thereafter, in the same manner in which other taxes are assessed, until the debt incurred by said loan or loans is extinguished.

Section 3. This act shall take effect upon its passage.

Approved June 6, 1913.

An Act in further addition to the several acts making appropriations for sundry miscellaneous expenses authorized during the present year or by previous laws. *Chap.* 757

Be it enacted, etc., as follows:

Appropriations.

Section 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, unless herein otherwise provided, for the purposes specified, to wit: —

Study of traffic, etc., of New England Telephone and Telegraph Company.

For expenses of a study of the traffic and methods of accounting of the New England Telephone and Telegraph Company, as authorized by chapter forty of the resolves of the present year, a sum not exceeding seventy-five hundred dollars, the same to be met by assessments upon the company.

Alfred Parenteau.

For an annuity to Alfred Parenteau, as authorized by chapter fifty-three of the resolves of the present year, a sum not exceeding two hundred sixty-five dollars and fifty-five cents.

John O'Connor, Junior.

For John O'Connor, Junior, as authorized by chapter fifty-four of the resolves of the present year, the sum of ninety-four dollars and seventy-five cents.

Richard F. Corrigan.

For an annuity to Richard F. Corrigan, as authorized by chapter fifty-five of the resolves of the present year, a sum not exceeding one hundred thirty-seven dollars and fifty cents.

Investigation relative to laying out of North Beacon street as a state highway.

For an investigation and report by the Massachusetts highway commission relative to the laying out and construction as a state highway of North Beacon street in the city of Boston and town of Watertown, as authorized by chapter fifty-seven of the resolves of the present year, a sum not exceeding five hundred dollars.

State normal school at Hyannis.

For the completion of certain improvements at the state normal school at Hyannis, as authorized by chapter sixty of the resolves of the present year, a sum not exceeding four hundred dollars.

Investigation of white slave traffic.

For an investigation of the white slave traffic, so-called, as authorized by chapter sixty-four of the resolves of the present year, a sum not exceeding ten thousand dollars.

Town of Westfield.

For reimbursement of the town of Westfield for the support of Samuel Powers, as authorized by chapter sixty-five of the resolves of the present year, a sum not exceeding two hundred twenty-six dollars and seventy cents.

Expenses of commissioners for promotion of uniformity of legislation.

For the expenses of the board of commissioners for the promotion of uniformity of legislation in the United States, as authorized by chapter sixty-six of the resolves of the present year, a sum not exceeding five hundred dollars, the same to be in addition to any amount heretofore appropriated for this purpose.

Transportation, etc., of certain veteran soldiers, etc.

For transportation and other expenses of the veteran soldiers and other persons who are to take part in the celebration of the fiftieth anniversary of the battle of Gettysburg, as authorized by chapter sixty-seven of the resolves of the present year, a sum not exceeding thirty thousand dollars.

Investigation relative to military monument at Gettysburg.

For expenses of an investigation relative to a military monument on the battlefield of Gettysburg, as authorized by chapter sixty-eight of the resolves of the present year, a sum not exceeding five hundred dollars.

For the New Bedford textile school, as authorized by chapter seventy-one of the resolves of the present year, the sum of seventeen thousand five hundred dollars, the same to be applied to cancelling a debt of the said school. New Bedford textile school.

For the maintenance of The Bradford Durfee Textile School of Fall River, as authorized by chapter seventy-two of the resolves of the present year, the sum of forty thousand five hundred dollars. The Bradford Durfee Textile School.

For reimbursing the city of Northampton for the support of the Smith agricultural school and Northampton school of industries, as authorized by chapter seventy-four of the resolves of the present year, the sum of eighty-five hundred twelve dollars and thirty-eight cents. City of Northampton.

For the employment of expert assistance by the chief of the district police to aid in the enforcement of the statutes relative to explosives and inflammable fluids and compounds, as authorized by chapter seventy-five of the resolves of the present year, a sum not exceeding twenty-five hundred dollars, the same to be in addition to any amount heretofore appropriated for this purpose. Enforcement of laws relative to explosives, etc.

For an investigation by the state board of charity as to an industrial home for vagrants, as authorized by chapter seventy-six of the resolves of the present year, a sum not exceeding three hundred dollars. Investigation as to an industrial home for vagrants.

For expenses of a commission to be appointed to investigate the subject of immigration, as authorized by chapter seventy-seven of the resolves of the present year, a sum not exceeding fifteen thousand dollars. Expenses of commission on investigation of immigration.

For expenses of an investigation of the water resources of the commonwealth, as authorized by chapter five hundred and sixty-four of the acts of the year nineteen hundred and twelve, a sum not exceeding three thousand dollars. Investigation of water sources.

For the salary of the assistant register of probate and insolvency for the county of Barnstable, a sum not exceeding two hundred and fifty dollars, the same to be in addition to any amount heretofore appropriated for this purpose. Assistant register of probate and insolvency, Barnstable county.

For the salary of the assistant register of probate and insolvency for the county of Franklin, a sum not exceeding two hundred dollars, the same to be in addition to any amount heretofore appropriated for this purpose. Assistant register of probate and insolvency, Franklin county.

For the salary of the assistant register of probate and insolvency for the county of Hampshire, a sum not exceeding one hundred dollars, the same to be in addition to any amount heretofore appropriated for this purpose. Assistant register of probate and insolvency, Hampshire county.

Premiums on schedule bonds.

For expenses of premiums on schedule bonds for militia officers, as authorized by chapter two hundred and sixty-eight of the acts of the present year, a sum not exceeding nine hundred dollars.

City of Newton.

For the city of Newton, on account of the maintenance of independent industrial schools, as authorized by chapter three hundred and eighty-four of the acts of the present year, the sum of thirty-five hundred thirty-six dollars and seventeen cents.

Clerical assistance to register of probate, Middlesex county.

For additional clerical assistance for the register of probate and insolvency for the county of Middlesex, as authorized by chapter three hundred and eighty-six of the acts of the present year, a sum not exceeding one thousand dollars, the same to be in addition to any amount heretofore appropriated for this purpose.

Investigation as to improvement of Taunton river.

For an investigation as to the improvement of Taunton river by the harbor and land commission, as authorized by chapter four hundred and thirty-three of the acts of the present year, a sum not exceeding five thousand dollars.

Chaplains of senate and house of representatives.

For the salaries of the chaplains of the senate and house of representatives, as authorized by chapter four hundred and fifty of the acts of the present year, a sum not exceeding three hundred forty dollars and thirty-two cents, the same to be in addition to any amount heretofore appropriated for this purpose.

Commissioner of public records, salary.

For the salary of the commissioner of public records, as authorized by chapter four hundred and eighty-five of the acts of the present year, a sum not exceeding three hundred and twenty dollars, the same to be in addition to any amount heretofore appropriated for this purpose.

Elizabeth A. Quirk.

For the salary of Elizabeth A. Quirk, an agent of the board of prison commissioners, as authorized by chapter four hundred and ninety-two of the acts of the present year, a sum not exceeding one hundred and twenty-six dollars, the same to be in addition to any amount heretofore appropriated for this purpose.

Encouragement of poultry breeding.

To encourage the breeding of poultry, as authorized by chapter five hundred and ninety of the acts of the present year, a sum not exceeding one thousand dollars, the same to be in addition to any amount heretofore appropriated for this purpose.

Homestead commission.

For expenses of the homestead commission, as authorized by chapter five hundred and ninety-five of the acts of the present year, a sum not exceeding fifteen hundred dollars.

For the salaries of the two deputy assistants in the office of the district attorney for the Suffolk district, as authorized by chapter six hundred and two of the acts of the present year, a sum not exceeding four hundred and sixty dollars, the same to be in addition to any amount heretofore appropriated for this purpose. Deputy assistants in office of district attorney, Suffolk district.

For the payment of a serial bond for soldiers' gratuities, due August first, nineteen hundred and thirteen, the sum of fifty-five thousand dollars, the same to be in addition to any amount heretofore appropriated for this purpose. Serial bond for soldiers' gratuities.

For expenses of the commissioner of public records, as authorized by chapter four hundred and eighty-five of the acts of the present year, a sum not exceeding three hundred and twenty dollars, the same to be in addition to any amount heretofore appropriated for this purpose. Commissioner of public records, expenses.

For the balance of the compensation as fixed by the governor and council of certain members of the commission on holdings of voluntary associations appointed under the provisions of chapter one hundred and thirteen of the resolves of the year nineteen hundred and twelve, a sum not exceeding six hundred dollars. Commission on holdings of voluntary associations.

Section 2. This act shall take effect upon its passage.

Approved June 6, 1913.

An Act relative to the hours of employment of women and minors. *Chap.* 758

Be it enacted, etc., as follows:

Section 1. Section forty-eight of chapter five hundred and fourteen of the acts of the year nineteen hundred and nine, as amended by chapter four hundred and eighty-four of the acts of the year nineteen hundred and eleven, and by chapter four hundred and seventy-seven of the acts of the year nineteen hundred and twelve, is hereby further amended by striking out the said section and inserting in place thereof the following: — *Section 48.* No child under eighteen years of age and no woman shall be employed in laboring in any factory or workshop, or in any manufacturing, mercantile, mechanical establishment, telegraph office or telephone exchange, or by any express or transportation company, more than ten hours in any one day; and in no case shall the hours of labor exceed fifty-four in a week except that in manufacturing establishments where the employment is by seasons, the number of such hours in any 1909, 514, § 48, etc., amended. Employment of women and minors, etc.

week may exceed fifty-four, but not fifty-eight, provided that the total number of such hours in any year shall not exceed an average of fifty-four hours a week for the whole year, excluding Sundays and holidays; and if any child or woman shall be employed in more than one such place the total number of hours of such employment shall not exceed fifty-four hours in any one week. Every employer, except those employers hereinafter designated, shall post in a conspicuous place in every room in which such persons are employed a printed notice stating the number of hours' work required of them on each day of the week, the hours of beginning and stopping work, and the hours when the time allowed for meals begins and ends or, in the case of mercantile establishments and of establishments exempted from the provisions of sections sixty-seven and sixty-eight, the time, if any, allowed for meals. The printed forms of such notices shall be provided by the state board of labor and industries, after approval by the attorney-general. The employment of any such person at any time other than as stated in said printed notice shall be deemed a violation of the provisions of this section unless it appears that such employment was to make up time lost on a previous day of the same week in consequence of the stopping of machinery upon which such person was employed or dependent for employment; but no stopping of machinery for less than thirty consecutive minutes shall justify such overtime employment, nor shall such overtime employment be authorized until a written report of the day and hour of its occurrence and its duration is sent to the state board of labor and industries. Every employer engaged in furnishing public service or in any other kind of business in respect to which the state board of labor and industries shall find that public necessity or convenience requires the employment of children under the age of eighteen or women by shifts during different periods or parts of the day, shall post in a conspicuous place in every room in which such persons are employed a printed notice stating separately the hours of employment for each shift or tour of duty and the amount of time allowed for meals. Printed forms of such notices shall be provided by the state board of labor and industries, after approval by the attorney-general. A list by name of the employees, stating in which shift each is employed, shall be kept on file at each place of employment for inspection by

Notices to be posted, etc.

employees and by officers charged with the enforcement of the law. In cases of extraordinary emergency as defined by section one of chapter four hundred and ninety-four of the acts of the year nineteen hundred and eleven or extraordinary public requirement, the provisions of this act shall not apply to employers engaged in public service or in other kinds of business in which shifts may be required as hereinbefore stated; but in such cases no employment in excess of the hours authorized under the provisions of this act shall be considered as legalized until a written report of the day and hour of its occurrence and its duration is sent to the state board of labor and industries.

Time of taking effect.

SECTION 2. This act shall take effect on the first day of October in the year nineteen hundred and thirteen.

Approved June 6, 1913.

AN ACT TO PROVIDE FOR THE RECLAMATION OF WET LANDS. *Chap.* 759

Be it enacted, etc., as follows:

The commonwealth may acquire land for purpose of reclamation.

SECTION 1. The state board of agriculture and the state board of health, acting as a joint board, are hereby authorized with the approval of the governor and council, to purchase or take by right of eminent domain in the name of the commonwealth for the purposes of this act, any tract or tracts of wet land, except salt marshes, together with such dry lands, if any, as may be necessary for access thereto. In carrying out the provisions of this act the said joint board may, in its discretion, determine that any of the powers and duties hereby conferred or imposed shall be exercised and performed by either one of the two boards composing the joint board.

Damages.

SECTION 2. The said joint board shall estimate and determine, as soon as may be, all damages sustained by any person or corporation by the taking of land, or any right therein, under authority of this act, and the same shall be paid from the fund hereinafter provided; but anyone aggrieved by such determination may have his damages assessed by a jury of the superior court in the manner provided by law with respect to damages sustained by reason of the laying out of ways. If, upon trial, damages are increased beyond the award of the board, the aggrieved party shall recover costs; otherwise such party shall pay costs; and costs shall be taxed as in civil cases. No suit

for such damages shall be brought after the expiration of two years from the date of the recording of the taking, as required by the following section.

Description of land taken to be recorded.

SECTION 3. Within sixty days after any land, or right therein, is taken under this act, the said joint board shall file and cause to be recorded in the proper registry of deeds a description thereof sufficiently accurate for its identification, with a statement of the purpose for which the same is taken, signed by a majority of the said joint board; and upon such filing title to the land or rights so taken shall vest in the commonwealth.

Labor of prisoners may be employed.

SECTION 4. The said joint board, acting through such agent or agents as it may appoint, shall drain and reclaim lands acquired under this act, and for this purpose may purchase machinery and other necessary equipment, and may execute such contracts as the governor and council shall approve. So far as is practicable, the labor of prisoners shall be employed in reclaiming the said lands, under such regulations and conditions as may be prescribed by the prison commissioners; and it is hereby made the duty of the prison commissioners to furnish such labor, upon request of the said joint board, whenever it is practicable for them to do so. The cost of transportation of prisoners to and from the place of labor and the cost of providing them with necessary meals while so employed shall be paid from the fund herein provided for.

Cultivation of reclaimed land.

SECTION 5. When said lands, or any convenient part thereof, shall have been drained and reclaimed, the said joint board shall cause the same to be cultivated for not less than two successive seasons, in such manner as in the opinion of the board will best demonstrate the value thereof for agricultural uses. The products of cultivation shall not be sold in open market, but shall be used for the supply of public institutions, and such institutions shall pay to the joint board such sums for the said products as they would pay if the same were purchased in open market, and the sums so received shall be added to the sum herein provided for.

Wet Lands Reclamation Fund.

SECTION 6. The said joint board shall thereafter, at such time or times as it shall deem expedient, offer such lands for sale, in whole or in part, at a price not less than the cost of the land plus the cost of reclaiming the same. Any sums received from such sales shall be paid into the treasury of the commonwealth and credited to the ordinary

revenue until the total amount expended under the provisions of this act has been refunded, after which the proceeds shall be credited to a fund to be known as the Wet Lands Reclamation Fund and shall be used for the reclamation of other tracts in the manner herein provided.

Expenditures.

Section 7. In carrying out the provisions of this act, the said joint board may expend a sum not exceeding fifteen thousand dollars from the treasury of the commonwealth. This sum shall be in addition to any amounts received from the sale of products as aforesaid.

Section 8. This act shall take effect upon its passage.

Approved June 7, 1913.

An Act making an appropriation for the care, preservation and improvement of Salisbury beach reservation. *Chap.* 760

Be it enacted, etc., as follows:

Appropriation, care, etc., of Salisbury beach reservation.

Section 1. A sum not exceeding five thousand dollars is hereby appropriated for the care, preservation and improvement of Salisbury beach reservation for the fiscal year nineteen hundred and thirteen, as authorized by section fourteen of chapter seven hundred and fifteen of the acts of the year nineteen hundred and twelve, the same to be met by assessments upon the cities and towns in the Salisbury beach reservation district, as provided in sections thirteen and fifteen of said chapter and in any amendment thereof.

Conditional appropriation.

Section 2. A further sum of twenty-five hundred dollars is hereby appropriated for said fiscal year, but in view of the fact that proceedings are now pending before the supreme judicial court in order to determine the constitutionality of said chapter seven hundred and fifteen of the acts of the year nineteen hundred and twelve, said further appropriation shall be null and void if said act be declared unconstitutional by said court.

Section 3. This act shall take effect upon its passage.

Approved June 7, 1913.

An Act to safeguard the public health against unclean milk containers and appliances used in the treatment and mixing of milk. *Chap.* 761

Be it enacted, etc., as follows:

Penalty for use of unclean milk containers, etc.

Section 1. Vessels used as containers in the holding, handling or sale of milk to be sold, or intended for sale, shall

be clean and free from foreign deposits upon the inside. Whoever, by himself or by his servant or agent, or as the servant or agent of another person, sells, exchanges or delivers, or has in his custody or possession with intent to sell, exchange or deliver, milk in vessels used as containers unclean upon the inside or having foreign deposits upon the inside, shall be punished by a fine of not more than fifty dollars.

Penalty for sale, etc., of milk mixed or treated with unclean appliances, etc.

SECTION 2. All appliances, implements, utensils, strainers or materials used in milking and in the treatment or mixing of milk to be sold or intended for sale shall be clean and free from foreign deposits. Whoever, by himself or by his servant or agent, or as the servant or agent of another person, sells, exchanges or delivers, or has in his custody or possession with intent to sell, exchange or deliver, milk obtained, treated or mixed by the use of appliances, implements, utensils, strainers or materials unclean or having foreign deposits shall be punished by a fine of not more than fifty dollars. *Approved June 10, 1913.*

Chap. 762 AN ACT RELATIVE TO THE SECRETARY EMPLOYED BY THE TRUSTEES OF HOSPITALS FOR CONSUMPTIVES.

Be it enacted, etc., as follows:

Salary established.

SECTION 1. The trustees of hospitals for consumptives may fix the salary of their secretary at a sum not exceeding twenty-five hundred dollars per annum: *provided, however,* that he shall give his entire time during office hours to the service of the said trustees.

Proviso.

SECTION 2. This act shall take effect upon its passage.

(*The foregoing was laid before the governor on the fourth day of June, 1913, and after five days it had "the force of a law", as prescribed by the constitution, as it was not returned by him with his objections thereto within that time.*)

Chap. 763 AN ACT TO PROVIDE FOR SUITABLY AIDING MOTHERS WITH DEPENDENT CHILDREN.

Be it enacted, etc., as follows:

Cities and towns to furnish aid to mothers with dependent children.

SECTION 1. In every city and town the overseers of the poor shall, subject to the provisions of the subsequent sections of this act, aid all mothers with dependent children under fourteen years of age, if such mothers are fit to bring up their children. The aid furnished shall be sufficient to

enable the mothers to bring up their children properly in their own homes; and such mothers and their children shall not be deemed to be paupers by reason of receiving aid as aforesaid.

Duties of overseers of the poor.

Section 2. Before aiding any mother under the foregoing section, except as hereinafter provided, the overseers of the poor shall determine that the mother is fit to bring up her children and that the other members of the household and the surroundings of the home are such as to make for good character, and that aid from the overseers is necessary to enable her to bring up her children properly, by making an immediate and careful inquiry including the resources of the family and the ability of its other members, if any, to work or otherwise contribute to its support, the existence of relatives able to assist the family, and of individuals, societies or agencies who may be interested therein; shall take all lawful means to compel all persons bound to support the mother and children to support them, and to enforce any other legal rights for their benefit; shall press all members of the family who are able to work, other than the mother and her dependent children, to secure work; shall try to secure work for them; and shall secure all necessary aid for the mother and children which can be secured from relatives, organizations or individuals. Nothing herein contained shall be construed to prevent the overseers from giving prompt and suitable temporary aid hereunder, pending compliance with the requirements of this section, when in their opinion such aid is necessary and cannot be obtained from other sources. A detailed statement of expenses incurred under this section shall be rendered to the state board of charity, together with such certificates or other guarantees as the said board may require.

Same subject.

Section 3. The said overseers, either by one of their own number or by their duly appointed agent, shall visit at least once in every three months at their homes or other place or places where they may be living, each mother and her dependent children who are being aided financially or otherwise by said overseers, and after each visit shall make and keep on file as a part of their official records a detailed statement of the condition of the home and family and all other data which may assist in determining the wisdom of the measures taken and the advisability of their continuance; and said overseers shall at least once in each year reconsider

the case of each mother with dependent children with whom they are dealing, and enter their determination with the reason therefor on their official records.

To whom this act shall apply.

SECTION 4. This act shall apply to all mothers and their dependent children, whether or not they or any of them may have a settlement within the commonwealth, who shall have resided in the commonwealth not less than three years. No person shall acquire a settlement or be in process of acquiring a settlement while receiving aid hereunder.

State board of charity to have supervision, etc.

SECTION 5. The state board of charity shall hereafter supervise the work done and measures taken by the overseers of the poor of the several cities and towns in respect to families in which there is one child or more under the age of fourteen, whether or not such family or any member thereof has a settlement within the commonwealth; and for this purpose may establish such rules relative to notice as they deem necessary and may visit and inspect any or all families aided under this act, and shall have access to any records and other data kept by the overseers of the poor or their representatives relating to such aid; and said board shall, in its annual report to the legislature, report upon the work done by its own agents and by the overseers of the poor in respect to such families any of whose members are without legal settlement in the commonwealth; and shall make a separate report on the work done by the overseers of the poor in respect to such families in which all the members have a legal settlement in the commonwealth.

Reimbursement of cities and towns by the commonwealth.

SECTION 6. In respect to all mothers in receipt of aid hereunder the city or town rendering the aid shall be reimbursed by the commonwealth, after approval of the bills by the state board of charity, for one-third of the amount of the aid given. If the mother so aided has no settlement, the city or town shall be reimbursed for the total amount of the aid given, after approval of the bills by the state board of charity as aforesaid. If the mother so aided has a lawful settlement in another city or town two thirds of the amount of such aid given may be recovered in an action of contract against the city or town liable therefor in accordance with the provisions of chapter eighty-one of the Revised Laws and acts in amendment thereof and in addition thereto.

Appropriation.

SECTION 7. For the purpose of reimbursing the cities and towns, as provided in the foregoing section, there shall

be appropriated from the treasury of the commonwealth the sum of fifty thousand dollars for the operations of the first year.

Section 8. All acts and parts of acts inconsistent herewith are hereby repealed. Repeal.

Section 9. This act shall take effect on the first day of September, nineteen hundred and thirteen. Time of taking effect.

Approved June 12, 1913.

An Act relative to the creation and issue of preferred stock by street railway companies. *Chap.* 764

Be it enacted, etc., as follows:

Section 1. A street railway company organized under the laws of this commonwealth may, by vote of two thirds in interest of its common stockholders at a meeting duly called for the purpose, with the approval of the board of railroad commissioners, and subject to the provisions of section one hundred and seven of Part III of chapter four hundred and sixty-three of the acts of the year nineteen hundred and six, and section three of chapter six hundred and thirty-six of the acts of the year nineteen hundred and eight, issue, and from time to time increase, preferred stock of one or more classes, for any lawful purposes for which street railway companies are now or may hereafter be authorized to issue or increase their capital stock. Each class of preferred stock shall be entitled to the preferences and rights and shall be subject to the restrictions and limitations fixed by such vote as approved by said board. Preferred stock may be issued by street railway companies upon approval of railroad commissioners. Increase of preferred stock. Preferences and rights, etc., fixed by vote.

Section 2. Any such street railway company may, upon such terms and in such manner as shall be determined by vote of two thirds in amount of its outstanding common capital stock and as shall be approved by the board of railroad commissioners, issue in lieu of outstanding common shares preferred shares to such number, of such par value and with such preferences, rights, restrictions and limitations and entitled to such rate of preferred dividend as shall so be determined and approved: *provided, however,* that the aggregate par value of such preferred stock shall not exceed the aggregate par value of the common stock in exchange for which it is issued. Common stock may be changed to preferred, etc. Proviso.

Section 3. Each class of preferred stock issued under authority of this act shall be designated by a name approved by the said board to distinguish it from all other Classes of preferred stock to be designated by name, etc.

Filing of vote and order of board, etc.

classes of stock of the company. A certified copy of the vote creating, and of the order of the said board approving, the creation of any class of preferred stock shall be filed in the office of the said board and in the office of the commissioner of corporations. Every certificate of stock issued by a street railway company after the approval by the said board of the creation by it of preferred stock shall contain a reference to all votes creating preferred stock and a brief description of the respective preferences, rights and restrictions of each class of such stock.

Voting powers of stock.

SECTION 4. Any preferred stock issued under authority of this act shall have the same voting power as the common stock, except that, in any case, there may be such limitations of the voting power of said preferred stock as said board approves and finds to be consistent with the adequate protection of the public interests. The aggregate amount at par of preferred stock of all classes issued by a street railway company shall at no time exceed twice the amount at par value of its outstanding common stock, and no class of preferred stock shall be created which is not, in a manner approved by the board of railroad commissioners, made subordinate in respect to dividends or to participation in the proceeds of liquidation to the preferences of every previously created class of preferred stock.

Amount of preferred stock regulated.

Preferred shares, how issued.

Upon any issue of preferred stock the new shares shall, unless the common stockholders shall, with the approval of the board of railroad commissioners, otherwise provide, first be offered to the common stockholders in the manner prescribed in said chapter six hundred and thirty-six of the acts of the year nineteen hundred and eight and acts in amendment thereof, and any shares of the preferred stock which shall not have been duly subscribed and paid for by the common stockholders or their assigns shall be offered in the same manner to the existing holders of preferred stock of the same class; and any of such preferred shares then remaining untaken, and all of the preferred shares if the common stockholders so determine and the said board approves, may be sold in the manner and subject to the provisions of section two of said chapter six hundred and thirty-six. In case of any increase in the common stock of the company, holders of preferred stock shall be entitled to have offered to them shares of the new stock in the manner provided in said chapter six hundred

Remaining preferred shares to be sold.

Increase of preferred stock to be offered present holders whenever board approves.

and thirty-six, and acts in amendment thereof, whenever the vote creating such preferred stock as approved by the said board shall so provide.

Section 5. Chapter four hundred and forty-one of the acts of the year nineteen hundred and two, so far as it applies to street railway companies, is hereby repealed. Repeal.

Approved June 12, 1913.

An Act to provide better transportation facilities for western Massachusetts. *Chap.* 765

Be it enacted, etc., as follows:

Section 1. The Berkshire Street Railway Company, hereinafter called the Berkshire Company, may, subject to the acceptance of this act as hereinafter provided, purchase the capital stock, franchise and property of, and form one corporation with, the Springfield Street Railway Company, the Worcester Consolidated Street Railway Company, the Milford, Attleborough & Woonsocket Street Railway Company, the Chester and Becket Railroad Corporation, and any street railway company whose railway is now leased to or operated by any one of said companies, and each of said companies may sell and convey its franchise and property to, and form one corporation with, the Berkshire Company, in the manner prescribed in, and subject to the provisions of, sections fifty-two, fifty-three and fifty-four of Part III, and section sixty-seven of Part I of chapter four hundred and sixty-three of the acts of the year nineteen hundred and six and acts in amendment thereof, so far as the same are applicable, and to the same extent as if the railway of the Berkshire Company was connected with that of each of the others, and said Berkshire Company may, upon such terms as shall be approved by the board of railroad commissioners, purchase and hold any interest approved by said board in the capital stock of the Attleborough Branch Railroad Company, the Interstate Consolidated Street Railway Company, and any of the companies whose railways are leased or operated as aforesaid. For the purpose of making such purchases the Berkshire Company may increase its capital stock from time to time by such amount, not exceeding the total amount of the capital stock of the other companies aforesaid, as said board shall approve, and may dispose of such additional stock in accordance with the provisions of said section fifty- The Berkshire Street Railway Company may purchase the capital stock, etc., of certain other street railway companies. Increase of capital stock.

three of Part III of said chapter four hundred and sixty-three, or of chapter six hundred and thirty-six of the acts of the year nineteen hundred and eight, and acts in amendment thereof. After any such purchase of all the capital stock or of the franchise and property of any of said companies such company shall become merged in said Berkshire Company, which shall thereafter have all the powers and privileges and be subject to the duties, liabilities and restrictions of such other company: *provided, however,* that the facilities for travel on the railway of each of the companies shall not be diminished or the rates of fare increased in consequence of any such purchase or sale.

Companies to become merged in Berkshire Company.

Proviso.

Berkshire Company to construct certain extensions.

SECTION 2. Said Berkshire Company is hereby authorized, and by its acceptance of this act shall be obliged, to construct and open for use in a manner satisfactory to the board of railroad commissioners, such of the following lines of railway, or parts thereof, constituting extensions of and connecting with the railway of said Berkshire Company after the merger therewith of any of the companies named or referred to in section one, as after public notice and hearing, said board shall designate subsequent to the acceptance of this act as hereinafter provided, and upon such locations and routes and between such termini, as after public notice and hearing, said board shall designate, and shall certify may, in its opinion, be constructed at an aggregate cost of not more than five million dollars, namely: a line from Huntington to Cummington village; West Becket through Sandisfield or Tolland to the state line; East Longmeadow to Hampden village; Springfield to Wilbraham; Granville through Southwick to Agawam; Southwick to Westfield; Chester to Parsons corner, so-called, in Becket; Blandford to Russell or Westfield; Westfield to Easthampton through the village of Wyben; Southampton to Hampton ponds, so-called, in Westfield; South Hadley, through Granby, Belchertown and Enfield to Ware; Hinsdale, through Peru to the village of West Cummington; North Adams to Stamford, Vermont; Williamstown to South Williamstown; Adams to Cummington; Cummington through Goshen to Williamsburg; Liberty street through Armory street past Van Horn reservoir to Springfield street in the city of Springfield; Gilbertville to Barre; Grafton Centre to the village of Fisherville in the same town; Worcester to Athol; Millbury (connecting villages of Bramanville and West Millbury); Rutland

through Hubbardston to South Gardner; Jefferson to Rutland; West Boylston, through the villages of Oakdale, West Sterling and East Princeton to South Westminster; Clinton to Sterling; Clinton to Ayer; Monson southerly to the state line; Brimfield through Wales to the state line; Fitchburg to Ashby and Ashburnham. Said board shall determine the method of construction and the kind of materials to be used, and shall estimate and audit the cost, and approve, before the same shall be valid, all construction contracts for each extension designated by it; and all items of cost approved by said board as reasonable and proper, and no others, shall be credited by said board in ascertaining the extent to which said Berkshire Company has complied with said requirement to expend five million dollars in the construction of extensions as aforesaid. The construction of each extension designated by said board under this section shall be completed within five years after the date of the order of said board designating such extension and the location, route and termini thereof: *provided, however,* that the board of railroad commissioners may, from time to time, after public notice and a hearing, extend the time for the construction of any of said lines of railway, and of the lines of railway designated in clauses (*a*) (*b*) and (*e*) respectively of section three of chapter six hundred and one of the acts of the year nineteen hundred and ten, by a certificate stating that in its judgment due diligence has been exercised by the Berkshire Company, and that public necessity and convenience require such extension of time; and *provided, further,* that nothing in this act shall limit the authority of boards of aldermen and selectmen under the general law with respect to the location within the limits of public ways, of the parts of any extensions required or authorized to be constructed under the provisions of this act, except that in case of a disagreement between the board of aldermen of any city or the selectmen of any town and the Berkshire Company as to any location in a public way, the board of railroad commissioners may designate the location and prescribe the terms and restrictions applicable thereto. The issuing, within the time limited for the completion of any one of the extensions specified in chapter six hundred and one of the acts of the year nineteen hundred and ten, or of the extensions specified, designated or approved by the board under any of the provisions of said act or of this act, of the certificate required by section

Duties of board of railroad commissioners.

Time for completion of extensions.

Provisos.

Issue of certain certificate to be evidence of completion of extension.

seventy-three of Part III of chapter four hundred and sixty-three of the acts of the year nineteen hundred and six that such extension is in a safe condition for operation, shall be evidence for all purposes that such extension has been completed in accordance with the provisions of said chapter six hundred and one and of this act. After the issue of such certificate with respect to an extension from some convenient point in the line of the Northampton Street Railway Company in the town of Easthampton, through the village of Southampton and passing through or conveniently near the village of Wyben in the town of Westfield to some convenient point on and connecting with the line of railway in Westfield now owned by the Springfield Street Railway Company, or through said Southampton village and to some point connecting with said street railway in Westfield at or near Hampton ponds, if said board of railroad commissioners designates the same as an extension to be constructed under the requirements of this act, the New York, New Haven and Hartford Railroad Company shall be required to maintain and operate north of Westfield upon that part of its railroad in Massachusetts which was formerly owned by the New Haven and Northampton Company, only such passenger trains as the board of railroad commissioners may from time to time, after a public hearing, order, anything to the contrary notwithstanding in any general or special laws.

Certain passenger trains to be operated upon order of railroad commissioners.

SECTION 3. If the Berkshire Company is authorized or required to construct any part of any extension of its railway on or over the watershed of the city of Springfield comprised in the drainage area of the Westfield Little river or its tributaries, as described in chapter three hundred and seventeen of the acts of the year nineteen hundred and six, said company shall, during such construction, observe and conform to all rules and regulations made by the board of water commissioners of the city of Springfield, and approved, after notice to and hearing of said company, by the state board of health, with respect to the conduct of any persons employed upon such construction within the limits of said watershed, the location and manner of use of any camps within said watershed for the accommodation or shelter of employees, and the location and manner of use and sanitary arrangements of any buildings of either a temporary or permanent character erected within said watershed for the convenience and use of any agents or employees of said company during

Rules and regulations pertaining to watershed of city of Springfield to be observed while constructing extension of railway.

such construction or for the convenience or use of said company, its officers, agents and employees or patrons, so long as said railway is maintained on or over said watershed.

Nothing in this section shall be construed or held to be a legislative determination that any part of the route of any extension shall be laid out across said watershed, and the board of railroad commissioners in approving said route shall be free to consider any reasons for or against locating any part of said route upon said watershed. Section, how construed.

Section 4. Said Berkshire Company is hereby authorized, and by its acceptance of this act shall be obliged, to construct and open for use, in a manner satisfactory to the board of railroad commissioners at any time and from time to time after the expiration of three years from the completion and opening for use of all of the extensions designated by said board under section two of this act, additional extensions of and connecting with its railway then existing and within such period of time as said board shall designate: *provided*, that in any order of said board for the construction of a line of railway under the provisions of this section it shall certify that such extension is required by public necessity and convenience, and that the Berkshire Company has earned in the last fiscal year preceding the date of such order, after paying all expenses of operation, interest, taxes, rentals and other lawful charges, and after charging off or allowing a reasonable amount for depreciation, a reasonable return upon the value of the company's property used for the convenience of the public, and that in the opinion of said board said Berkshire Company will be able in the operation of such extension to earn upon the cost of such extension in the third and subsequent fiscal years following its completion a net divisible income above the expenses and allowances aforesaid equal to the average or estimated annual cost to said railroad corporation of the amount of funds to be provided by it for the construction of such extension; and *provided, further*, that all obligation both of the Berkshire Company and of said railroad corporation with respect to the construction of extensions under this section shall cease and become void if and whenever said railroad corporation shall cease to own a majority of the common stock of said Berkshire Company. Construction of additional extensions, etc. Provisos.

Section 5. The Berkshire Company is hereby authorized, with the approval of the board of railroad commis- May build or acquire connecting lines

of railway in certain other states.

sioners, to build or acquire a line of railway in the state of Connecticut and in the state of Vermont, subject to securing any necessary authority therefor from said states respectively, deemed by said board necessary or desirable, and which connects or will connect with lines of said company in this commonwealth acquired or constructed by it under the provisions of this act or of said chapter six hundred and one of the acts of the year nineteen hundred and ten, and of such length and terminating in such city or town in either of said states, and upon such terms, as the board of railroad commissioners may approve.

Taking of lands, etc., outside of public ways to be approved by board of railroad commissioners.

SECTION 6. For the purpose of acquiring, outside the limits of public ways and places, locations and rights of way necessary or convenient for the construction of the extensions specified, designated or approved by the board of railroad commissioners under the provisions of said chapter six hundred and one of the acts of the year nineteen hundred and ten or of this act, and of any other extensions of its railway approved by said board, and for the reconstruction, widening and straightening of its railway, and avoiding or reducing grades and curves therein, and for eliminating crossings at grade with highways, and for other corporate purposes approved by said board said Berkshire Company may, in the manner and subject to the provisions for security and payment of damages set forth in Part II of chapter four hundred and sixty-three of the acts of the year nineteen hundred and six, and any acts in amendment thereof, take any lands and interests therein which shall be approved by said board of railroad commissioners, and may build thereon its railway and extensions and branches thereof.

Valuation of corporate franchise, deductions, etc.

SECTION 7. From the value of the corporate franchise of said Berkshire Company, ascertained as provided in section forty-one of Part III of chapter four hundred and ninety of the acts of the year nineteen hundred and nine and acts in amendment thereof or in addition thereto, there shall be deducted, in addition to the deductions specified therein, the value of its interest in any securities which, if owned by a natural person resident in this commonwealth, would not be liable to taxation, and said company, after making the deductions provided for in said section forty-one and in this section, shall annually pay the tax upon its corporate franchise, as provided in section forty-three of Part III of said chapter four hundred and ninety.

Section 8. The Berkshire Company, after and by virtue of the merger in itself of the corporate franchise and the purchase of the property of any other Massachusetts street railway company, authorized by this act, may issue from time to time the bonds unissued at the date of such merger, secured by or authorized to be issued under any existing mortgage heretofore made by such other company, in the same manner and for the same purposes as such bonds, under the terms of such mortgage and of the laws applicable thereto, could have been issued by such other street railway company. Issue of bonds of street railway companies acquired.

Section 9. Within six months after the passage of this act, and before the New York, New Haven and Hartford Railroad Company acquires any stock of the Berkshire Company to be issued under authority of section one of this act, said railroad corporation shall submit to the board of railroad commissioners an estimate of the cost to said corporation of the additional stock to be authorized to be issued by said Berkshire Company to carry out the purposes authorized by said section, and said board, after such investigation as it may deem desirable, shall determine whether the amount so estimated, or what different amount, is reasonably sufficient to carry out the purposes of said section, and the amount so determined shall not be exceeded by said railroad corporation without the consent of said board. Said railroad corporation, after the determination of the board of railroad commissioners above provided for, and upon its acceptance of the provisions of this act, as hereinafter provided, may purchase and hold any preferred and common stock of the Berkshire Company issued for any lawful purpose, and, except as otherwise provided herein, may exercise and enjoy all the rights and be subject to all the liabilities of a holder thereof, and may sell and dispose of any such preferred stock at any time owned by it, and may purchase, hold and dispose of any bonds, notes and other evidences of indebtedness of said Berkshire Company and of any other company consolidated with, leased to or controlled by it under authority of law and may, with the approval of the board of railroad commissioners, guarantee the payment of principal or interest or both thereof and thereon, and may guarantee the payment of the dividends on any preferred stock of said Berkshire Company, and of the liquidation value thereof in case of a dissolution of said street railway company or of the redemption of such preferred stock; but said railroad corporation shall

Estimate of cost of additional stock to be submitted to board of railroad commissioners.

Purchase of preferred and common stock, etc., of the Berkshire Company.

Common stock of Berkshire Company not to be disposed of without approval of general court or board of railroad commissioners.

not, without the consent either of the general court or of the board of railroad commissioners, at any time sell or otherwise dispose of any of its shares of common stock, except temporarily for the purpose of qualifying directors, in said Berkshire Company, or create any pledge or lien thereon except as the same may be included in the security for any mortgage of its property or any collateral trust indenture made under authority of the laws of this commonwealth.

Liquidation of voluntary associations holding securities, etc.

For the purpose of facilitating the liquidation of any voluntary associations holding securities of any of the companies named in section one of this act, and of facilitating the acquisition by the Berkshire Company of such securities, said railroad corporation may purchase and temporarily, but in no event for a longer period than three years after the date when this act takes effect, hold any shares or certificates of beneficial interest in, or other obligations of, any such association.

Obligation to provide funds to construct extensions by the Berkshire Company imposed upon the New York, New Haven and Hartford Railroad Company.

SECTION 10. The acceptance of this act by the New York, New Haven and Hartford Railroad Company shall impose upon said railroad corporation the additional liability to provide, by the purchase of bonds or other evidences of indebtedness, or by subscribing and paying for additional stock to be issued by the Berkshire Company, the funds necessary for the construction by the Berkshire Company of the extensions specified or designated by said board under authority of this act; and said railroad corporation, in order to provide means to fulfill the obligation hereby imposed and to pay for stock of the Berkshire Company issued with the approval of the board of railroad commissioners, and acquired under the provisions of said chapter six hundred and one of the acts of the year nineteen hundred and ten and of this act, and for the amount invested by it in the bonds, notes and other evidences of indebtedness of the Berkshire Company, may issue from time to time, at such prices, upon such terms, to such amount and for such periods and at such rates of interest, as said board shall determine to be consistent with the public interest in effecting the development contemplated in this act, bonds or other evidences of indebtedness, which shall be designated on their face, Western Massachusetts Trolley Development Bonds, or by such other words as shall be approved by the board of railroad commissioners, and any bonds issued for the said purpose shall not be included in ascer-

Western Massachusetts Trolley Development Bonds.

taining the amount of the funded indebtedness of said railroad corporation under the provisions of sections forty-eight and sixty-six of Part II of chapter four hundred and sixty-three of the acts of the year nineteen hundred and six and acts in amendment thereof or in addition thereto; and each bond shall be certified by some trust company, approved by said board, as one of the bonds issued under authority of this act.

Adoption of time tables, etc., subject to approval of railroad commissioners.

Section 11. The board of railroad commissioners may require the adoption of such time tables and of such changes and amendments thereof by said Berkshire Street Railway Company, after its acquisition of the franchise and property of any other street railway company under authority of this act, and by said railroad corporation in Massachusetts, as in the judgment of said board may be required in the public interest reasonably to insure satisfactory connections at junction points between the street railway system of the former and the railroad system of the latter company, and may require said railroad corporation to accept upon and transport over any part of its railroad in this commonwealth which may be operated by electricity, between such junction points and such suitable termini and to such extent and upon such terms as said board may from time to time designate or approve, the cars and passengers of said Berkshire Company, and to make provisions satisfactory to said board at such termini for properly handling and accommodating such cars and passengers, and said board may require said companies physically to connect their railway and railroad in any city or town in this commonwealth in which both companies have tracks, and may, to such extent as it deems consistent with safety and the proper operation of said railway and railroad respectively, and to be necessary in the public interest, require an interchange of passenger, express and freight traffic between said two companies. Said Berkshire Company and said railroad corporation may make contracts respecting any of the subject-matter of this section, and may, after the approval of any such contract by the board of railroad commissioners, but not otherwise, perform and carry out the provisions of any such contract. Either of said corporations may, upon terms approved by the board of railroad commissioners, sell electricity to the other, and either may permit the use of its stations, tracks, equipment

Transfers of cars, passengers, etc., to be satisfactory to board of railroad commissioners.

Contracts.

Sale of electricity, etc.

and other transportation facilities by the other, to the extent and in accordance with the provisions of any contract between them, if approved by said board. Said board may impose upon said Berkshire Company similar requirements with respect to passenger and freight arrangements, time tables, and other joint relations between said Berkshire Company and any other railroad corporation.

Regulation of fares, charges, etc.

SECTION 12. Whenever the board of railroad commissioners shall be of opinion, after a hearing had upon its own motion or upon complaint, that the rates, fares or charges, or any of them, demanded, exacted, charged or collected by the Berkshire Company for the transportation of persons or property within the commonwealth, or that the regulations or practices of said company affecting such rates are unjust, unreasonable, unjustly discriminatory or unduly preferential or in any wise in violation of any provision of law, or that the rates, fares or charges, or any of them, chargeable by said company are insufficient to yield reasonable compensation for the service rendered, and are unjust and unreasonable, the board, with due regard among other things to a reasonable return upon the value of the company's property used for the convenience of the public, shall determine the just and reasonable rates, fares and charges to be charged for the service to be performed, and shall fix the same by order to be served upon said company. Whenever the board shall be of opinion, after a hearing had upon its own motion or upon complaint, that the regulations, practices, equipment, appliances, or service upon the railway of said company in respect to transportation of persons or property within the commonwealth are unjust, unreasonable, unsafe, improper or inadequate, the board shall determine the just, reasonable, safe, adequate and proper regulations, practices, equipment, appliances and service thereafter to be in force, to be observed and to be used upon said railway in such transportation of persons and property within the commonwealth, and shall fix and prescribe the same by order to be served upon said company; and thereafter it shall be the duty of said company to observe and obey every requirement of every such order so served upon it and to do everything necessary or proper in order to secure absolute compliance with and observance of every such order by all of its officers, agents and employees. Rates

Regulation of transportation, etc.

and facilities constitutionally fixed and determined by statute shall not be revised or regulated by the board. Every order of the board shall continue in force unless the same shall be limited, suspended, modified or set aside by the board, or by any court of competent jurisdiction. The supreme judicial court shall have jurisdiction in equity to enforce compliance with any order issued by the board under authority of this act, and shall hear and determine any proceedings under this act in preference to all other civil business except election cases. This section shall have the same effect and shall be treated and construed as if the same had been enacted after said corporation had acquired the franchises and properties of the other companies specified in section one.

Certain rates not to be revised.

Compliance, how enforced.

Section, how construed.

Section 13. All the powers and authority conferred upon the board of railroad commissioners by this act shall extend to and may be exercised by any board or commission hereafter at any time created by the general court in lieu of or to supersede the board of railroad commissioners, or to which the general powers and jurisdiction of said board may be transferred by act of the general court.

Authority conferred on board of railroad commissioners may be exercised by its successor.

Section 14. A majority of the officers of said Berkshire Company and a majority of its directors shall at all times be citizens of the commonwealth, and any officer or director of said company elected or appointed as a resident of the commonwealth who ceases at any time to be such resident, shall thereupon cease to be an officer or director in said company, and his office or place may be filled for the residue of the term for which he was elected or appointed, by election or appointment by the remaining directors. The office of said company shall be situated and maintained, all of its books shall be kept and remain, and all meetings of its stockholders and directors shall be held, within the commonwealth.

Majority of officers, etc., to be citizens of the commonwealth.

Office, books and meetings to be within the commonwealth.

Section 15. All authority granted in this act to the New York, New Haven and Hartford Railroad Company shall become null and void unless within three years after the acceptance of this act, or, in case of delay in such acquisition resulting from litigation, then within six months after the final determination of such litigation, the Berkshire Company shall have acquired from every voluntary association holding any of the same, all the property so held which said Berkshire Company is authorized by section

Act to be null and void, unless, etc.

Evidence of compliance.

one of this act to acquire. A certificate by the railroad commissioners, filed with the commissioner of corporations, of such acquisition shall be conclusive evidence thereof.

Voluntary associations prohibited from acquiring certain holdings, etc.

Every such association now holding any stock of the companies named or referred to in said section, which said Berkshire Company is therein authorized to acquire, is hereby prohibited from acquiring, after the passage of this act, any securities of or interest in any street railway company organized under the laws of Massachusetts other than the companies named or referred to in section one of this act, and from acquiring any securities of or interest in any of said last mentioned companies after the acquisition by the Berkshire Company of the property which by section one of this act it is authorized to acquire.

Financial ability to comply with law, to be certified to secretary of the commonwealth.

SECTION 16. The authority conferred by section one of this act upon the Berkshire Street Railway Company and upon the New York, New Haven and Hartford Railroad Company by sections nine and ten, excepting so much of section nine as provides for a determination by the board of railroad commissioners of the amount reasonably necessary to carry out the purposes of section one, shall not be exercised by either of said companies until the board of railroad commissioners, upon its own motion or upon the petition of either company or of the mayor and aldermen of any city or the selectmen of any town situated in any one of the five western counties of the commonwealth, shall certify to the secretary of the commonwealth that in its opinion said Berkshire Company and said railroad corporation are financially able to comply with the provisions of this act.

Time of taking effect.

SECTION 17. This act shall take effect upon its passage, but shall become void unless, within six months after the issue by the board of railroad commissioners of the certificate provided for in the preceding section, the New York, New Haven and Hartford Railroad Company, by its president, duly authorized thereunto by vote of a majority of its board of directors, and said Berkshire Company, by its president, duly authorized thereunto by vote of a majority of its directors, shall severally file with the board of railroad commissioners and with the commissioner of corporations, a written acceptance of this act and of all the provisions herein contained.

Written acceptance to be filed, etc.

Bond to continue in force, etc.

Such acceptance of this act by the New York, New Haven and Hartford Railroad Company shall have the

effect to continue in force to its full amount the bond for two million dollars heretofore filed by the New York, New Haven and Hartford Railroad Company with the treasurer and receiver general, under the provisions of section six of chapter six hundred and one of the acts of the year nineteen hundred and ten, after the construction of all the extensions of railway specified in section three of said chapter, and to extend the obligation of said bond to the construction and opening for use of all the lines of railway designated by the board of railroad commissioners under the provisions of section two of this act, as fully in all respects as if said bond had been required to be filed under this section: *provided, however,* that after the completion of all the extensions so specified in section three of said chapter six hundred and one, and of the expenditure as determined by the railroad commissioners of at least three million dollars on account of the extensions so designated under the provisions of section two of this act, the measure of damages in any suit upon said bond shall be the difference between the amount actually expended, as determined and certified by said commissioners to the court, on account of said extensions, and the sum of five million dollars. Proviso.

Instead of enforcing the penalty of said bond the attorney-general at the direction of the general court shall, or at the request of the board of aldermen of any city or of the selectmen of any town interested in the construction of any line of railway designated by said board of railroad commissioners under the provisions of section two of this act, may, bring a bill in equity against the Berkshire Company and said railroad corporation, in which the commonwealth shall be entitled to, and each of said companies shall, by their acceptance of this act, be deemed to have assented to, the issue of a permanent injunction or to the entry of a decree in appropriate form for the specific performance of their several contracts resulting from their acceptance of this act, directing the Berkshire Company to construct and open for use and said railroad corporation to provide in the manner prescribed in section ten the means for meeting the expense of constructing and opening for use each and all of the lines of railway designated by the board of railroad commissioners to be constructed under provisions of section two of this act which shall not have been constructed and opened for use at the expiration of the time as provided for in said section two. Attorney-general to bring bill in equity, in lieu of enforcing penalty, to enforce certain contracts.

Subject to repeal, etc.

SECTION 18. This act shall be subject to amendment, alteration and repeal at the pleasure of the general court.

(*This bill, returned by the governor to the house of representatives, the branch in which it originated, with his objections thereto, was passed, by the house of representatives June 12, and, in concurrence, by the senate June 12, the objections of the governor notwithstanding, in the manner prescribed by the constitution; and thereby has the "force of a law."*)

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*Chap.*766 AN ACT RELATIVE TO THE LIGHTING OF FACTORIES AND WORKSHOPS.

Be it enacted, etc., as follows:

Investigation of lighting of factories and workshops.

SECTION 1. Upon the request of any member of the inspection department of the district police, or upon the request of any five employees in a factory or workshop, it shall be the duty of the state board of labor and industries established by chapter seven hundred and twenty-six of the acts of the year nineteen hundred and twelve to investigate and ascertain whether or not such factory or workshop is adequately lighted. If said board shall be of the opinion, after such investigation, that the factory or workshop is not properly lighted, it shall notify the owner or the person in charge thereof and shall specify what changes should be made in order to light properly the factory or workshop, and the owner or lessee of such factory or workshop shall make the changes so specified as soon as it can be done by the exercise of reasonable diligence.

Penalty for failure to comply with order of board.

SECTION 2. Any owner or lessee of a factory or workshop who fails to comply with any order of the state board of labor and industries made under the provisions of section one of this act, provided that such failure is not the result of causes beyond the control of the owner or lessee, shall be punished by a fine not exceeding five hundred dollars.

Approved June 13, 1913.

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*Chap.*767 AN ACT TO PROVIDE FOR IMPROVING THE WATUPPA PONDS AND PRESERVING THE WATER THEREOF AND FOR ABATING NUISANCES ALONG THE QUEQUECHAN RIVER IN THE CITY OF FALL RIVER.

Be it enacted, etc., as follows:

Watuppa Ponds and Quequechan River Com-

SECTION 1. For the purpose of preventing or abating nuisances in or along the line of the Quequechan river,

so-called, or upon or about lands, flats or waters, adjacent or near to said river, and for the protection of the inhabitants of the city of Fall River, and for the purpose of preserving the purity of its water supply for domestic purposes and of conserving its water supply for all purposes, the mayor of the city of Fall River is hereby authorized and directed to appoint a board of five commissioners, subject to confirmation by the board of aldermen, to be known as the Watuppa Ponds and Quequechan River Commission. One member of said commission shall be designated as chairman, and the terms of office of the members of said commission shall be so arranged and designated at the time of appointment that the term of the chairman shall expire on the first Monday of February in the year nineteen hundred and eighteen; and the terms of the other members shall expire as follows: — one on the first Monday of February in the year nineteen hundred and seventeen; one on the first Monday of February in the year nineteen hundred and sixteen; one on the first Monday of February in the year nineteen hundred and fifteen; and one on the first Monday of February in the year nineteen hundred and fourteen. The full term of office after these dates, respectively, shall be five years, and all vacancies shall be filled by the mayor, subject to confirmation by the board of aldermen. The commission may act by a majority of its members and in all its doings it shall proceed in the most expeditious and summary manner consistent with due regard for private rights and for the protection of the public rights. The compensation of the chairman and the other members of said commission shall be fixed by the city council. The members of said commission may be suspended or removed in the manner now provided for the suspension or removal of the water board of said city. The said commission shall have full authority to employ and fix the salaries and compensation of engineers, architects and such clerical and other assistants as may be necessary for carrying out the provisions of this act. All the expenses of said commission shall be paid by the city.

Commission, appointment, terms, etc.

Compensation, etc.

Section 2. Said commission is hereby authorized and directed to cause a careful investigation of the whole subject of the nuisances in and along the line of the Quequechan river or upon or about lands or flats or waters adjacent or near to said river, and of the needs of the city for the increase, purification, protection and control of its water

Duties of commission.

supply and the conservation and improvement of the waters of the Watuppa ponds and of all brooks, streams and water sources contributing thereto; and to make necessary surveys and examinations and prepare and submit to the state board of health for its approval, comprehensive plans, showing in detail full and complete methods for abatement of the nuisances aforesaid, for the control and direction of the waters of the Quequechan river, for proper drains for surface water and sewers for sewage, and for the increase, purification, protection and control of the water supply of the city. Said plans shall also show all lands, buildings, easements, rights of way, rights of flowage, water rights, water sources, dams, reservoirs, storage basins, or other properties or works affected or to be acquired in pursuance of the proposed improvements and of all diversion of brooks, streams or water sources, all canals, aqueducts, sewers, drains, dams, reservoirs, embankments, bridges or other works proposed to be constructed, with careful estimates of the total cost of all work.

Plans, etc.

Notice of hearings to be published.

Section 3. Said commission shall give one or more public hearings on all proposed work, to all persons interested. Such hearings shall be held in the city of Fall River, and the time and place thereof shall be published in one or more newspapers published in the said city, and before the final acceptance of any plans, said commission shall make careful estimates of the total cost of acquiring all lands, easements, rights and other property, of all damages to be allowed and all benefits to be assessed and shall give one or more public hearings to persons interested; and the time and place of such hearings shall be published in one or more newspapers published in the city of Fall River.

Report to be acted upon by city council.

Section 4. When said plans have been approved by the state board of health, said Watuppa Ponds and Quequechan River Commission shall submit to the city council of Fall River not later than the first day of July, nineteen hundred and fourteen, a full report, giving in detail all plans and estimates of the total cost of all proposed works, and estimates of damages to be allowed and benefits to be assessed, and showing the amount of such total costs to be provided for by the city of Fall River. Upon receipt of said report, the city council shall, within thirty days thereafter, determine by a majority vote of all its members whether or not said proposed works shall be constructed,

and if the vote is not in favor of proceeding with the proposed works, the duties and term of office of said commission shall cease. If the city council, by a majority of all its members, votes to proceed with the construction of the proposed works, the city council is hereby authorized to direct said commission to proceed with the construction of said works in accordance with the following provisions of this act.

Commission to have certain powers if work is authorized.

Section 5. Upon the vote of the city council authorizing and directing the construction of said works, said commission shall succeed to, and have the powers and perform the duties now conferred and imposed upon said city by chapter one hundred and fourteen of the acts of the year eighteen hundred and ninety-one, and acts in addition thereto and in amendment thereof, and by chapter four hundred and thirty-seven of the acts of the year nineteen hundred and nine and acts in addition thereto and in amendment thereof, the purposes of which are made a part of the purposes of this act; and in addition the said commission shall have the powers and perform the duties herein set forth. Said commission shall annually and whenever required by the city council make and present in writing a particular report of all its acts and proceedings, and a detailed account of all its expenditures.

May acquire lands, etc., construct canals, etc.

Section 6. The said commission is hereby authorized and directed from time to time to take or purchase and hold any part, or the whole, of any land, and the buildings thereon, easements, rights of way, rights of flowage, water rights, water sources, water courses, dams, reservoirs and storage basins, real estate and all rights thereto and therein of every kind, abutting upon, or being near to, said river, and may from time to time lay out and maintain and improve the same, and may locate and construct and maintain one or more canals or waterways from the South Watuppa pond to the Watuppa Reservoir Company dam, so-called; and may also from time to time locate, construct and maintain such other canals, waterways, gates, bridges, dams, embankments, reservoirs, storage basins and other works and structures as it may deem necessary or convenient for said purposes, including the filling in of land now flowed by said river, or any of the waters thereof or adjacent thereto and all rights and property so acquired shall belong to the said city.

May divert the waters of certain brooks, etc.

SECTION 7. Said commission shall at all times hereafter have the right to divert from said North Watuppa pond any streams, brooks or waters now flowing therein into the South Watuppa pond, and shall have the right from time to time to divert from said South Watuppa pond any streams, brooks or waters now flowing therein into said North Watuppa pond, if such diversion shall be approved by the state board of health: *provided*, that the total volume of water diverted into said North Watuppa pond is not greater than the volume of water of the streams, brooks and waters diverted from said North Watuppa pond into said South Watuppa pond; and said commission shall have the right to purchase or take any land and property within the watershed of all brooks and streams that may be diverted from said South Watuppa pond into said North Watuppa pond; said commission shall have the right to raise or change from time to time as it may deem expedient, the level of the surface of said North Watuppa pond.

Proviso.

May erect structures, etc.

SECTION 8. The said commission is hereby authorized to carry out, construct and maintain all necessary works, and structures over, under or along any street, railroad, railway or other way, or upon land of any person or corporation, but shall not enter upon or make any construction within the location of a railroad corporation, except at such times and in such manner as may be agreed upon with such railroad corporation, or, in case of failure to agree, as may be approved by the board of railroad commissioners.

Description of property taken to be recorded.

SECTION 9. Said commission shall, within sixty days after entering upon or taking any lands, or buildings, rights, easements or other property, as herein authorized, for the purposes of this act, file and cause to be recorded in the Bristol county, Fall River district, registry of deeds, a description thereof sufficiently accurate for identification, with a statement of the purpose for which the same are taken, which description and statement shall be signed by the mayor of said city; and said commission shall also cause a copy of the description and statement to be published once a week for three successive weeks in some newspaper published in Fall River, and a copy thereof shall be mailed to the last known address of the owner of the land, buildings, rights, easements or other property so taken.

Damages.

Before said commission enters upon or takes any lands, buildings, rights, easements or other property under the

provisions of this act, compensation or damages, if any, shall be awarded by said commission to the owners of such land, buildings, rights, easements or other property, and should no award be made, it shall be considered that no damages have been incurred by, and that no compensation is due to said owners: *provided, however*, that any person, firm or corporation may have a right of appeal from any such decision as provided in section seventeen of this act. Proviso.

May construct sewers or drains, etc.

Section 10. Said commission may construct one or more sewers for sewage or drains for surface water along or near the canal or waterway extending from said South Watuppa pond, but no part of the cost of said sewer or drain construction shall be considered as a part of the expense incurred under the provisions of this act; and for the purpose of defraying the cost of constructing said sewers or drains, said city may issue from time to time, bonds or notes to an amount not exceeding two hundred and fifty thousand dollars, and the same shall not be reckoned in determining the statutory limit of indebtedness of the city of Fall River. Bonds or notes issued under the authority of this section shall bear on their face the words, City of Fall River Quequechan River Sewer Loan, Act of 1913; shall be payable by such annual payments, beginning not more than one year after the date thereof, as will extinguish each loan within thirty years from its date, and the amount of such annual payment of any loan in any year shall not be less than the amount of the principal of said loan payable in any subsequent year. Each authorized issue of notes or bonds shall constitute a separate loan. Said bonds or notes shall bear interest at a rate not exceeding four and one half per cent per annum, payable semi-annually; shall be signed by the treasurer and countersigned by the mayor of said city. The city may sell such bonds or notes at public or private sale, upon such terms and conditions as it may deem proper, but they shall not be sold for less than their par value, and the proceeds shall be used only for the purposes specified in this section. When completed the sewers and drains shall be placed in charge of the department of the city having charge of such works.

City of Fall River Quequechan River Sewer Loan, Act of 1913.

Payment of loan.

Section 11. Said city shall, at the time of authorizing said sewer or drain loan, provide for the payment thereof in accordance with section ten of this act; and when a vote to that effect has been passed, a sum which will be sufficient

to pay the annual expense of maintaining and operating its sewers, and the interest as it accrues on the bonds or notes issued as aforesaid by the city, and to make such payments on the principal as may be required under the provisions of this act, shall, without further vote, be assessed by the assessors of the city annually thereafter, in the same manner in which other taxes are assessed, until the debt incurred by said loan or loans is extinguished.

May sell lands at public auction, etc.

SECTION 12. Said commission shall have the right to lay out and construct streets or ways and to reserve a location for said sewers and drains over any land acquired under the provisions of this act, and to sell from time to time land so acquired at public auction, after advertising the same at least seven days before the date of said sale in some one or more newspapers published in Fall River, or may sell and convey to any person, firm or corporation owning such land at the time of its acquisition by the city under the provisions of this act, upon such terms and considerations as may be proper and reasonable, and as shall be set forth in the vote authorizing such sale; and a deed from said city to the grantee of any part of said land, when duly recorded, shall convey a good title thereto, free from all incumbrances. The money received from any such sale, and the value of the land retained by said city, shall be paid, allowed and credited to the construction of the work under this act.

Public hearings to be given.

SECTION 13. Said commission shall cause plans to be prepared for constructing the canals, sewers and drains authorized by this act, and shall give one or more hearings thereon in said city, to all persons interested. The time and place of such hearings shall be published in one or more newspapers published in Fall River; and before the final acceptance of any plans or beginning any actual work of construction, said commission shall make an estimate of the total cost of acquiring the land, easements, rights and other property and of constructing said canals and sewers and the appurtenances thereto, and other necessary expenses and disbursements, and shall give one or more public hearings to persons interested; and the time and place of such hearings shall be published in one or more newspapers published in Fall River.

Assessment of cost, etc.

SECTION 14. Said commission, after hearing all persons interested therein, shall apportion the total cost and ex-

penses incurred under this act, except for sewers and drains as hereinbefore provided, and expenses incurred solely for the improvement of the city water supply, including damages and interest charges, and shall assess the same against all the property or estate which may be specially or peculiarly benefited by the construction of the canal and other works hereunder, including benefits from a freer or greater flow of water; and the said assessment shall constitute a lien on the land and property benefited as aforesaid until the payment of such assessment. If any person or corporation is assessed for benefits and is also allowed damages or compensation, one amount shall be set off against the other, and the balance only shall be paid or collected. All such assessments and the liens resulting therefrom shall inure to and belong to said city, and the city may enforce and collect the same in the manner provided by law for the collection of taxes, or may collect the same by an action of contract brought in the superior court.

Assessment of betterments.

Section 15. The said commission may also annually assess upon persons or corporations receiving a special or peculiar benefit from the continuance and maintenance of said canal or other works authorized by this act, including a greater or freer flow of water, an annual assessment for the purpose of maintaining the works and constructions herein provided for, of such an amount as said commission may determine after one or more hearings at which such persons or corporations shall be given an opportunity to be heard, and such assessments shall constitute a lien upon the land and property benefited as aforesaid, until payment of the assessment; and said assessments shall be enforced and collected by the city in the manner provided by law for the collection of taxes, or may be collected by an action of contract brought in the superior court.

Receipts to be used only for water supply purposes, etc.

Section 16. All the receipts of the water department of said city, after the payment of the costs and expenses of the maintenance and extension of its water works plant and pumping station, and after setting aside a sum of not less than thirty-five thousand dollars as provided in chapter three hundred and twenty of the acts of the year nineteen hundred and eight, and acts in amendment thereof and in addition thereto, and after setting aside a sum sufficient to provide for the sinking funds of the water loans of Fall River heretofore authorized and all sums raised, assessed

and collected under the provisions of this act shall be kept separate and apart from all other moneys of said city, and shall be used by the city for the payment of expenses, liabilities, and indebtedness incurred under the provisions of this act for the improvement of the city water supply, and for no other purpose or purposes.

Damages.

SECTION 17. The said city shall pay all damages sustained by any person, firm or corporation by entry upon any land, or by the taking of any land and buildings thereon, easements, rights of way, rights of flowage, water rights, water sources, water courses, dams, reservoirs and storage basins, real estate and all rights thereto and therein of every kind, abutting upon or near to said river under the authority of this act. Any person, firm or corporation sustaining damages as aforesaid and failing to agree with said city as to the amount thereof may have the same assessed and determined in the manner provided by law in the case of land taken for highways, on application at any time within two years after the taking of such land or other property or the doing of other damage, in the manner above prescribed; but no such application shall be made after the expiration of the said two years.

Adjudication by superior court, etc.

SECTION 18. Any person or corporation dissatisfied with the amount of any assessment of benefits made annually or otherwise by the city against such person or corporation may have the amount thereof adjudicated by proceedings brought within two years after the date of such assessment in the superior court as provided by law in the case of land taken for laying out highways.

City of Fall River and Quequechan River Loan, Act of 1913.

SECTION 19. Said city, for the purpose of paying the necessary expenses and liabilities incurred under the provisions of this act, may issue from time to time bonds or notes to an amount not exceeding five hundred thousand dollars, and the same shall not be reckoned in determining the statutory limit of indebtedness of the city. Bonds or notes issued under authority of this section shall bear on their face the words, City of Fall River and Quequechan River Loan, Act of 1913, shall be payable by such annual payments, beginning not more than one year after the date thereof, as will extinguish each loan within ten years from its date, and the amount of such annual payment of any loan in any year shall not be less than the amount of the principal of said loan payable in any subsequent year. Each authorized issue of bonds or notes shall constitute a

separate loan. Such bonds or notes shall bear interest at a rate not exceeding four and one half per cent per annum, payable semi-annually; and shall be signed by the treasurer and countersigned by the mayor of said city. The city may sell such bonds or notes at public or private sale, upon such terms and conditions as it may deem proper, but they shall not be sold for less than their par value.

Payment of loan.

Section 20. Said city shall, at the time of authorizing said loan or loans, provide for the payment thereof in accordance with the provisions of section nineteen of this act; and when a vote to that effect has been passed, a sum which, with the income derived from water rates and amounts received from assessments, sale of lands and benefits, will be sufficient to pay the annual expense of maintaining and operating aqueducts and water works, and the interest as it accrues on the bonds or notes issued as aforesaid by the city, and to make such payments on the principal as may be required under the provisions of this act, shall without further vote be assessed by the assessors of the city annually thereafter, in the same manner in which other taxes are assessed, until the debt incurred by said loan or loans is extinguished. If in any year the income from assessments, sale of land and benefits shall exceed the sum necessary to pay the interest on said securities and to provide for the retirement of securities issued hereunder, the surplus may be used either for the purchase and retirement of a part of the indebtedness of the city outstanding hereunder, or for the extension and improvement of the works authorized herein, and for no other purposes.

Work not to be begun until plans have been approved, etc.

Section 21. No act shall be done or liability incurred under authority of the preceding sections until plans showing in detail all the work to be done in constructing any of the works authorized by this act and the lands to be acquired by the city for the purpose, have been submitted to the state board of health and approved in writing by said board; and the proceeds of the sale of any securities issued under authority of this act shall be used only for the acquirement of lands and the construction of works which have been approved as herein provided and for the expenses incident thereto.

Repeal.

Section 22. All acts and parts of acts inconsistent herewith are hereby repealed.

Section 23. This act shall take effect upon its passage.

Approved June 13, 1913.

*Chap.*768 AN ACT TO AUTHORIZE THE COUNTY OF ESSEX TO RECONSTRUCT THE TURNPIKE BRIDGE OVER PARKER RIVER IN THE TOWN OF NEWBURY.

Be it enacted, etc., as follows:

Reconstruction of the turnpike bridge over Parker river in Newbury.

SECTION 1. The county commissioners of the county of Essex, subject to the provisions of chapter ninety-six of the Revised Laws and acts in amendment thereof and in addition thereto, and of all other laws which may be applicable, are hereby authorized and directed to reconstruct the bridge, and the approaches thereto, over Parker river on the Newburyport turnpike in the town of Newbury, and to make such temporary repairs in the said bridge as in their judgment public safety requires.

Expense to be paid by county in first instance.

SECTION 2. The expense incurred under the provisions of this act shall be paid in the first instance by the county of Essex. Upon the completion of said bridge and approaches the county commissioners shall file in the office of the clerk of courts of said county a detailed statement, certified under their hands, of the actual cost of reconstructing the bridge and approaches, including the cost of any temporary repairs made as aforesaid, and within three months after the filing of said statement they shall, after such notice as they may deem proper, and a hearing, apportion and assess upon the commonwealth, thirty-five per cent, and upon the town of Newbury, fifteen per cent of the cost of repairing and reconstructing the said bridge and approaches.

Apportionment of cost.

Payment of cost.

SECTION 3. The said commissioners shall file in the office of the clerk of courts of the county a report of the apportionment, and the clerk of courts shall forthwith transmit an attested copy thereof to the treasurer and receiver general of the commonwealth and to the treasurer of the town of Newbury. Within thirty days thereafter the commonwealth and the town of Newbury shall pay from their ordinary revenue their proportion of said expense, determined as aforesaid, into the treasury of the county of Essex. If the said town neglects or refuses to pay its proportion as aforesaid, the said commissioners shall, after notice to the town, issue a warrant against it for its proportion as aforesaid with interest and the cost of the warrant, and the same shall be collected and paid into the

treasury of the county, to be applied in payment of the expense aforesaid. The provisions of sections twelve and sixteen of chapter forty-seven of the Revised Laws shall not apply to any expenditure made under authority of this act.

Certain provisions of law not to apply.

Section 4. For the purpose aforesaid the county commissioners of said county are hereby authorized to borrow on the credit of the county a sum not exceeding thirty-five thousand dollars. All moneys so borrowed shall be deposited in the county treasury, and the treasurer of the county shall pay out the same as ordered by the county commissioners, and shall keep a separate and accurate account of all sums so borrowed and expended, including interest. Upon the completion of the bridge and approaches thereto, the county commissioners are hereby further authorized to issue bonds for the county's portion of the expense aforesaid.

County commissioners may borrow money, etc.

Section 5. This act shall take effect upon its passage.

Approved June 13, 1913.

An Act to authorize the city of Newton to provide for the disposal of sewage from the Riverside Recreation Grounds. *Chap.* 769

Be it enacted, etc., as follows:

Section 1. The city of Newton may permit the entrance into the sewers of that city of the sewage of the Riverside Recreation Grounds, so-called, situated on the westerly side of Charles river in the town of Weston, so long as the said grounds shall be occupied by the trustees of the Riverside Recreation Grounds, or their successors, upon such terms, agreements and stipulations as may be agreed upon by said city and said trustees, and all sewage so received may be discharged into the south metropolitan sewerage system: *provided, however,* that such terms, agreements and stipulations shall have been approved by the metropolitan water and sewerage board, and that such further provisions as the said board shall deem necessary have been complied with.

Disposal of sewage from the Riverside Recreation Grounds.

Proviso.

Section 2. This act shall take effect upon its passage.

Approved June 13, 1913.

*Chap.*770 AN ACT RELATIVE TO THE MEMBERS OF THE POLICE AND FIRE DEPARTMENTS OF THE CITY OF BOSTON WHO WERE FORMERLY IN THE SERVICE OF THE TOWN OF HYDE PARK.

Be it enacted, etc., as follows:

1911, 469, § 11, amended.

SECTION 1. Section eleven of chapter four hundred and sixty-nine of the acts of the year nineteen hundred and eleven is hereby amended by striking out the word "and", in the last line but one, and by adding at the end of the said section the following: —, and shall have the same right to be retired and to receive a pension or other compensation from the city of Boston which they would have had if the service performed by them had been performed wholly in and for the city of Boston, — so as to read as follows: — *Section 11.* The several police officers, watchmen and firemen in office in the town of Hyde Park when this act takes effect shall thereafter continue in the discharge of their respective duties, until successors are appointed in their stead. The members of the regular and permanent police and fire departments of the town of Hyde Park when this act takes effect shall become in their respective grades members of the police and fire departments of the city of Boston, shall be within the classified civil service of the commonwealth, and shall have the same right to be retired and to receive a pension or other compensation from the city of Boston which they would have had if the service performed by them had been performed wholly in and for the city of Boston.

Certain officials to continue in office, etc.

SECTION 2. This act shall take effect upon its passage.

Approved June 13, 1913.

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*Chap.*771 AN ACT TO PROVIDE FOR THE CONSTRUCTION OF A NEW BRIDGE OVER THE NEPONSET RIVER AT GRANITE AVENUE BETWEEN THE TOWN OF MILTON AND THE CITY OF BOSTON.

Be it enacted, etc., as follows:

Construction of new bridge over the Neponset river at Granite avenue, etc.

SECTION 1. A commission is hereby appointed, to consist of the mayor of the city of Boston, the chairman of the county commissioners of Norfolk county, the chairman of the selectmen of the town of Milton and the mayor of the city of Quincy to remove the existing bridge, known as Granite avenue bridge, in the town of Milton, and to construct a new bridge with suitable approaches substantially

replacing the present bridge. The said commission shall construct any necessary approaches to said bridge on each end thereof; may construct a temporary highway bridge to be used by vehicles and pedestrians during such construction; shall cause shoals to be dredged or otherwise removed so as to afford vessels passing to or through the draw of said bridge a depth of water equal at least to that now afforded; and shall take or purchase such lands for the approaches to said bridge as it shall deem necessary for carrying out the provisions of this act, and shall cause all lands so acquired to be properly filled and graded.

Duties of directors of port of Boston.

Section 2. The directors of the port of Boston shall authorize such occupation of lands and flats outside of the harbor lines, at and near each end of said bridge, as they may deem necessary for the proper construction of said bridge and for avoiding angles that will tend to cause collections of floating matter, and in granting licenses for the dredging of flats in said river shall endeavor to ensure the removal of the shoals aforesaid by the licensees prior to the necessity for such removal, as required in the preceding section.

Manner of construction.

Section 3. Said bridge shall be suitable for all the purposes of ordinary travel; shall be not less than forty feet in width, and shall be constructed with masonry piers and abutments, with a superstructure of iron or steel, or both, and with a draw having a clear opening not less than fifty feet in width, according to plans to be determined by said commission; shall be constructed and maintained subject to the provisions of chapter ninety-six of the Revised Laws, and of all other general laws now or hereafter in force relating to bridges over tide water, and to the draws therein; except that no compensation for displacement of tide water, or for occupying any land or flats of the commonwealth, shall be required from the city of Boston or town of Milton.

Approaches.

Section 4. The approaches to said bridge shall be laid out by said commission as a highway not less than fifty feet in width at its proximity to the abutments of said bridge at either end. In laying out the approaches to said bridge, said commission shall have the same power and authority to determine the value of and to assess upon real estate the amount of betterments accruing to said real estate, by reason of any taking made by said commission under the

provisions of this act of land for either of the approaches to said bridge, which is now conferred upon the city of Boston and town of Milton, respectively, in respect to betterments assessed for the taking of land for the laying out of highways, and said commission shall also have the same power with respect to the abatement of any such betterments which the city of Boston and the town of Milton respectively now have in respect to the abatement of betterments assessed for the taking of land for the laying out of highways.

Cost to be paid by commonwealth in first instance.

Section 5. The cost of laying out and constructing said approaches, including any damages awarded on account of any taking of land or property therefor, the cost of construction of the abutments and other parts of said bridge, the cost of changing the channel of said river, the cost of the temporary highway bridge, and the salaries and wages of all employees of said commission, including all other expenses incurred in carrying out the provisions of this act, shall be deemed the cost of construction of said bridge, and shall in the first instance be paid by the commonwealth: *provided, however,* that said cost shall not exceed seventy thousand dollars; and the treasurer and receiver general of the commonwealth is hereby authorized to borrow on the credit of the commonwealth such sums of money as may from time to time be required for the said cost, and may issue notes, bonds or certificates therefor, and shall make payments from time to time on account of work done under this act, on the order of said commissioners.

Proviso.

Apportionment of cost.

Section 6. When said bridge and its approaches are completed and the full cost thereof ascertained, the following parties shall each contribute and be assessed the following percentage of the amount paid by the commonwealth therefor, including any interest paid on any money borrowed under the provisions of this act, to wit: — county of Suffolk, forty per cent, county of Norfolk, forty per cent, town of Milton, ten per cent, city of Quincy, ten per cent. The amount due from each of said parties upon certification of the same by the treasurer of the commonwealth shall be paid into the treasury of the commonwealth at such times as the said treasurer shall designate.

Street railway company having location to pay certain costs.

Section 7. If, at any time, a right is granted to any street railway company to lay tracks over said bridge, such company shall pay the cost of maintenance of that

part of the bridge occupied by its tracks and eighteen inches on either side thereof. The company shall be assessed twenty-five per cent of the original cost of the bridge and shall pay the same to the treasurer of the commonwealth, and it shall be distributed by him to each of the parties required to contribute to the original cost of the bridge in the following proportion: — county of Norfolk, forty per cent, county of Suffolk, twenty per cent, city of Quincy, twenty per cent, town of Milton, twenty per cent.

Granite Avenue Bridge Loan.

Section 8. The treasurer of the county of Suffolk and the treasurer of the county of Norfolk shall from time to time issue bonds of their respective counties as either may require, each bond to be designated on the face thereof, Granite Avenue Bridge Loan, and shall use the proceeds to meet the cost to be paid by them respectively under this act. Such bonds shall bear interest, payable semi-annually, at a rate not exceeding four per cent per annum, and shall be payable at such times, not less than ten nor more than twenty years from their respective dates, as shall be determined respectively by the treasurer of the county of Suffolk and by the treasurer of the county of Norfolk, and as shall be expressed upon the face of the bonds. The provisions of chapter twenty-seven of the Revised Laws, and acts in amendment thereof and in addition thereto, so far as they may be applicable and are consistent herewith, shall apply to the bonds issued under the authority of this act. The mayor of the city of Quincy, subject to the approval of the city council, and the selectmen of the town of Milton may, if they deem it advisable, borrow money for a period not exceeding ten years for the purpose of meeting their respective assessments under this act, and may issue the notes or bonds of the city and town therefor. Such notes or bonds in each instance shall bear on their face the words, Granite Avenue Bridge Loan, Act of 1913, and shall bear interest at a rate not exceeding four per cent per annum.

Certain provisions of law to apply.

Granite Avenue Bridge Loan, Act of 1913.

Damages.

Section 9. Any person entitled by law to damages for the taking of or injury to his property under authority of this act may have the same determined by a jury in the superior court for the county of Suffolk or for the county of Norfolk, on petition therefor, in the same manner in which damages are determined for the taking of lands for highways in the city of Boston and town of Milton, re-

Proviso.

spectively: *provided*, that any action brought for such damages on account of any property in the county of Norfolk shall be heard and determined in that county.

Care and maintenance.

SECTION 10. When the said bridge and its approaches are completed, and all work contemplated by this act has been performed, the care and control of said bridge, draw and approaches shall vest in a commission consisting of the mayor of the city of Boston and the chairman of the selectmen of the town of Milton for the time being. Said commission shall have charge of lighting, policing, managing, maintaining and keeping in repair said bridge, draw and approaches, and also the exclusive authority to authorize poles, wires and other structures to be placed thereon, and in such place and manner as said commission may deem proper. The money required for lighting, policing, managing, and keeping in repair said bridge, draw and approaches, as well as any cost or expenses incurred by said commission in connection therewith, and all damages recovered in any action at law by reason of any defect, or want of repair in said bridge, draw or approaches, and any expenses incurred in connection therewith shall be paid in the first instance by the commonwealth on the order of said commission, and shall annually be repaid to the commonwealth by the county of Suffolk and the town of Milton, in equal shares.

SECTION 11. This act shall take effect upon its passage.

Approved June 13, 1913.

Chap. 772 AN ACT RELATIVE TO THE HIGHWAY COMMISSIONERS OF THE CITY OF BROCKTON.

Be it enacted, etc., as follows:

Appointment of certain highway commissioners in city of Brockton confirmed.

SECTION 1. The action of the mayor and board of aldermen of the city of Brockton in appointing Patrick F. McMahon, a highway commissioner, for the term of three years, James F. Powers, a highway commissioner, for the term of two years and Lucius R. Churchill, a highway commissioner, for the term of one year, under chapter three hundred and forty of the acts of the year nineteen hundred and twelve, is hereby ratified and confirmed, and the acts of the said highway commissioners are hereby ratified and confirmed, and the terms of the said commissioners are hereby declared to have begun on the first Monday in January in the current year, and the term of the said

McMahon shall expire three years from the said date, the term of the said Powers shall expire two years from the said date, and the term of the said Churchill shall expire one year from the said date.

Section 2. This act shall take effect upon its passage.

Approved June 13, 1913.

An Act relative to expenditures for the repair of state highways. *Chap.* 773

Be it enacted, etc., as follows:

Section 1. Chapter forty-seven of the Revised Laws is hereby amended by striking out section sixteen and inserting in place thereof the following: — *Section 16.* Said commission shall annually, in January, certify to the treasurer and receiver general the amount of the expenditures for repair of state highways in each city and town during the preceding year. One half the amount of such expenditures, not exceeding fifty dollars a mile in towns with a valuation of less than one million dollars, not exceeding one hundred dollars a mile in towns with a valuation of one million dollars and less than two million dollars, not exceeding two hundred dollars a mile in towns with a valuation of two million dollars and less than five million dollars, and in cities and towns with a valuation of over five million dollars the said one half of such expenditures, not exceeding two thousand dollars a mile in the aggregate and not exceeding five hundred dollars a mile in any one year for the number of miles actually improved, shall be made a part of the state tax for such cities and towns respectively, and any balance due may be made a part of the state tax in the succeeding three years, and the money collected shall be credited to the appropriation for state highways to be used again by the commission. If a city or town elects to make such repairs upon terms and prices agreed upon by it and said commission and under the direction of said commission, the commission shall repay to it, from the annual appropriation for state highways, the amount expended therefor in excess of the amount which such city or town is required to repay under this section. The provisions of chapter four hundred and fifty-four of the acts of the year nineteen hundred and nine shall be applicable to this act.

R. L. 47, § 16, amended.

Payment and reimbursement of expense for repair of state highways.

1909, 454, to apply.

Section 2. This act shall take effect upon its passage.

Approved June 13, 1913.

Chap. 774 AN ACT TO PROVIDE FOR THE MAINTENANCE OF PUBLIC WAYS THAT HAVE BEEN CONSTRUCTED OR IMPROVED WITH STATE FUNDS.

Be it enacted, etc., as follows:

Maintenance of public ways constructed or improved with state funds.

SECTION 1. When any county, city or town way has been constructed or improved in whole, or in part, with money furnished by the commonwealth, and the way is not laid out as a state highway, it shall thereafter be the duty of the county, city or town in which the way lies to keep and maintain that part of the way which has been so improved at all times in good repair and condition. The Massachusetts highway commission shall notify the county commissioners of the county, the mayor of the city or the selectmen of the town (whichever has charge of the repairs of said way) in which any such way is situated whenever, in its opinion, such way is not being maintained in proper condition, and shall specify in said notice what repairs or improvements are necessary, and the county or municipal officials in charge of the way shall forthwith proceed to make the specified repairs and improvements. If said officials do not make said repairs or improvements within sixty days, or within such further time as said commission may allow, the said commission is hereby authorized to proceed to have said repairs or improvements made, and may pay for the same from any money which may be available for the repairs or maintenance of state highways or from the Motor Vehicle Fees Fund available for through routes in towns, and shall certify the amount of such expenditures to the treasurer and receiver general, to be collected by him in the same manner in which the expenses of repairs on state highways are collected under the provisions of section sixteen of chapter forty-seven of the Revised Laws and amendments thereof. The money so collected may be used by said commission from time to time for the same purposes for which the money so expended was available, or for the repair and maintenance of state highways: *provided, however,* that in towns whose valuation is less than one million dollars not more than fifty dollars a mile, and in towns of over one million dollars, but under two million dollars' valuation, not more than one hundred dollars a mile, and in towns of over two million dollars' valuation, not more than two hundred dollars a mile, shall

Proviso.

be collected in any one year, but any balance due may be certified and collected in succeeding years, but not exceeding three years on any one improvement, the maximum amount collectible in any one year being as above stated. The Massachusetts highway commission may, upon petition, exempt any county, city or town from the whole or any part of said payment, if in its judgment said payment would prove an undue burden.

Repeal.

Section 2. So much of chapter two hundred and seventy-nine of the acts of the year nineteen hundred and eight as is inconsistent herewith is hereby repealed.

Time of taking effect.

Section 3. This act shall take effect on the first day of January in the year nineteen hundred and fourteen.

Approved June 13, 1913.

An Act to provide for the construction of additional tunnels and subways in the city of boston. *Chap.* 775

Be it enacted, etc., as follows:

Additional subways and tunnels may be constructed in city of Boston.

Section 1. The Boston transit commission, hereinafter called the commission, shall construct in the city of Boston, hereinafter called the city, a system of tunnels and subways so designed as to be adapted for the use of two tracks, especially for the use of elevated cars or trains, beginning at a point at or near the northerly end of the present Washington street tunnel, through or under public or private land, public streets, squares or places and under Causeway street and under the Charles river in a northerly direction, and thence along and by such route in the direction of City Square and Main street to Sullivan Square as shall be deemed best by the commission, to a point at or near or beyond Sullivan Square, together with the approaches, sidings, entrances, stations, elevators, inclines, connections and other structures hereinafter called appurtenances, which shall also include the connections at grade or otherwise with the present Washington street tunnel. The commission shall if it deems best so construct said tunnel or subway beginning at or near City Square, thence in a northerly direction through Main street to Sullivan Square; said tunnel to connect with the elevated structure at or near or beyond the Charlestown bridge. The commission may for the purpose of connection with the present Washington street tunnel or for the purpose of connecting said tunnel with the present elevated structure at or near or beyond

the Charlestown bridge excavate or do such things as may be necessary underneath, upon or over the surface of the tracks or street, upon the locations granted to the Boston Elevated Railway Company, or to the city. The structure or structures for the tunnel or subway with the appurtenances or any part thereof shall be begun at any time after the acceptance of this act by the voters of the city of Boston voting thereon at the next city election, if and so far as the commission deems it expedient and if the company by its directors consents.

When structures shall be begun, etc.

Preliminary plans and investigations.

Section 2. The commission shall immediately after the passage of this act make such preliminary investigations, surveys, and plans as it deems expedient and to that end may enter upon any lands and place and maintain marks thereon, and may make excavations, borings and do all other acts necessary for such investigations and surveys. The commission may expend such sums of money as it deems necessary therefor to be paid by the treasurer of the city of Boston, but if construction is begun hereunder, the amount so expended shall be transferred and charged to the cost of construction.

Not to begin work until plan is filed.

Section 3. The commission shall not begin the work of construction until it has filed in the office of the city engineer a plan signed by the commission showing the location of that part of the work which it is about to construct. Any such plan so filed may be altered at any time by a new plan signed and filed in like manner.

Contracts.

Section 4. The commission may make contracts in the name of the city for the work herein authorized, but all contracts involving two thousand dollars or more in amount shall be in writing and signed by a majority of the commission and no such contract shall be altered except by an instrument in writing signed by the contractor and a majority of the commission, and also by the sureties, if any, on the bond given by the contractor for the completion of the original contract. No such contract or alteration of any such contract shall be valid or binding on the city unless executed in the manner aforesaid.

Parts of streets, etc., to be left open for traffic between certain hours.

Section 5. All work under this act under or near public streets and places shall be conducted, so far as practicable, in such manner as to leave such streets and places or a reasonable part thereof open for traffic between the hours of eight in the forenoon and six in the afternoon of each secular day except public holidays, and provision shall be

made for the protection of the elevated structure so as not to disturb or interfere with the use thereof for public travel.

Public ways may be used, lands taken, etc.

Section 6. The commission may, for the purposes of this act, use public ways and lands without compensation therefor, and may take for the city, by purchase or otherwise, lands in fee and easements, estates, and rights in land, including the right to go under the surface thereof or through or under buildings or parts of buildings thereon; and such takings in fee or otherwise may be made whether the lands taken or otherwise affected are held under or by title derived under eminent domain or otherwise. A taking under this section of an easement or other estate or right in a given parcel of real estate, whether such parcel consists of unimproved land or of land and buildings, may be confined to a portion or section of such parcel fixed by horizontal planes of division below or above or at the surface of the soil, and in such case no taking need be made of upper or lower portions or sections except of such easements therein, if any, as the commission may deem necessary.

Description of property taken to be recorded, etc.

The commission, to make any taking by right of eminent domain, shall cause to be recorded in the registry of deeds for the county of Suffolk a description of the lands, easements, estates or rights to be taken, as certain as is required in a common conveyance of land, with the statement that the same are taken under authority of this act. Said description and statement shall be signed by the commission; and the lands, easements, estates or rights therein described shall upon such recording be taken for, and shall vest in, the city.

Owners to be notified, etc.

The commission shall, so far as may be practicable, notify all known owners of such takings, but the validity of any taking shall not be affected by want of such notice.

Sale or removal of certain property.

Section 7. The commission may sell or remove the buildings from any and all lands taken by it, and shall sell, if a sale be practicable, or if not shall lease, any lands, or rights or interests in land and other property so taken or purchased for the purposes of this act whenever the same shall, in the opinion of the commission, cease to be needed for such purposes but not actually sold, as agreed on by the commission and the company, or, in case of difference as determined by the board of railroad commissioners, hereinafter called the board, shall be deducted from the cost of the tunnel or the subway, as the case may be, for the purpose of ascertaining the rental thereof.

Damages.

Section 8. The commission shall determine and award the damages sustained by any person or railroad company by reason of property taken or injured by the commission under authority of this act, except public ways or lands, and may agree with any person as to the amount to be paid as damages sustained by him for any property so taken or injured, which damages the city shall be liable to pay. If such person or railroad company is dissatisfied with such award, or cannot agree with the commission upon his damages, the same may be determined by a jury in the superior court for the county of Suffolk, on petition therefor of such person or of the commission against the city, filed in said court within three years after such property is so taken or injured; and judgment shall be entered upon the determination of such jury and costs shall be taxed and execution issued in favor of the prevailing party as in civil actions. The members of the commission shall not be personally liable for any such damage.

Person aggrieved may apply for a jury.

Temporary removal or relocation of certain structures may be ordered.

Section 9. The commission may order the temporary removal or relocation of any conduits, pipes, wires, poles or other property of any person or corporation, which it deems to interfere with the construction or operation of the tunnel or subway, and shall grant new locations for any such structures so removed or relocated. Such orders, to the extent specified therein, shall be deemed a revocation of the right or license to maintain such tracks, conduits, pipes, wires, poles or other property, and the owner of any such structures in public ways or lands shall comply with such orders without expense to the city. If such owner shall fail to comply with the order of the commission within a reasonable time, to be fixed in the order, the commission may discontinue and remove such tracks, conduits, pipes, wires, poles or other property, and may relocate the same; and the cost of such discontinuance, removal or relocation shall be repaid to the city by the owner. No such discontinuance, removal or relocation shall entitle the owner of the property thus affected to any damages on account thereof. Any such structures in or upon private lands may be removed and relocated by the commission, or, if removed and relocated by the owner thereof, the reasonable expense shall be repaid him by the commission. Any gas company may shut off the gas from any pipes affected by any acts done hereunder, when and so far as it may be necessary to avoid danger of escape or explosion of gas.

Gas companies may shut off gas when necessary.

Section 10. The commission shall, within ninety days after the passage of this act, execute with the company in the name of the city, the company consenting thereto, a contract in writing for the sole and exclusive use of the tunnel and subway and appurtenances for a term extending not beyond the expiration of existing leases of subways from the city to the company, at an annual rental equal to four and one half per cent of the net cost, as hereinafter determined, of the tunnel and subway, respectively, for the running of trains and cars therein, and for such other uses and upon such provisions and conditions, not affecting the term or rental, as the commission and the company may agree upon, or in case of difference, as the board may determine. The provisions of this act, in so far as they declare, define or establish the terms and conditions for the construction, tenure, maintenance and operation of said tunnel, subway and appurtenances, shall be embodied in and made part of said contract. The use of the tunnel or subway respectively shall begin when, in the opinion of the commission, a reasonable time after completion has been allowed for equipment. The net cost of the tunnel and subway respectively shall be deemed to include all expenditures incurred in acquisition and construction, including all damages, expenses and salaries of the commission, and any sums paid under the provisions of this act for the removal of the elevated structure and the carrying out of the provisions hereof, and interest at three and one fourth per cent per annum on the debt incurred in construction prior to the beginning of the use. If the contract for the use of the tunnel and subway is executed as above provided the commission, upon the acceptance of this act by the voters of the city as hereinafter provided, shall proceed with the work of construction.

Contract may be made with Boston Elevated Railway Company for the exclusive use of the tunnel, etc.

Section 11. If the company shall execute the contract hereinbefore provided for, the company may, before the completion of the tunnel, construct lines of elevated railway according to such plans as may be approved by the board, to be operated by electricity in respective locations heretofore granted to the company upon and over the Charlestown bridge and upon and over Causeway street, to connect with the present Washington street tunnel and the subway or tunnel to be constructed under the provisions of this act. If the commission shall decide to extend the present Washington street tunnel, as provided for in section one

Lines of elevated may be constructed upon certain locations, if contract is executed.

Not to be operated if Washington

street tunnel is extended.

of this act, the company shall not operate and maintain said elevated structure provided for in this section.

Company may apply for revision of determination of certain questions.

SECTION 12. Upon the determination by the commission of any important question arising in the course of the work herein provided for, upon which the company has previously requested a hearing, except an award of or agreement upon damages as provided in section eight of this act, the company may within three days after notice of such determination apply to the board for a revision of the same, and thereupon the board may consider and finally determine such question.

Method of construction under tracks, etc., of a railroad company.

SECTION 13. Wherever the routes upon which the commission is authorized to construct the tunnel or subway cross underneath the locations or tracks of any railroad company, the crossing and the necessary excavations shall be made in such manner and the method of construction shall be such as may be agreed upon between the directors of said railroad company and the commission, and if the parties are unable to agree as to the manner of crossing underneath the tracks or as to the method of construction at that point, the same shall be determined by said board upon the application of either party.

Boston Extension Tunnel and Subway Loan.

SECTION 14. The treasurer of the city shall from time to time, on request of the commission, issue and sell at public or private sale, the bonds of the city, registered or with interest coupons attached, as he may deem best, to an amount not exceeding the cost of the tunnel and subway herein provided for. Such bonds shall be designated on their face, Boston Extension Tunnel and Subway Loan, shall be for such terms, not exceeding fifty years, as the mayor and treasurer of said city may determine, and shall bear interest, payable semi-annually, at such rate, not exceeding four per cent per annum, as the treasurer shall determine. The debts incurred by the city from time to time under the provisions of this act shall not be included in determining the limit of indebtedness of the city as established by law, and the proceeds of such bonds shall be used to meet all damages, costs and expenses incurred by the commission or by the city in carrying out the provisions of this act. The board of commissioners of sinking funds shall establish a sinking fund for the payment of the bonds issued under this act. All premiums received from the sale thereof shall be paid into the sinking fund. All rents, tolls,

Sinking fund, etc.

percentages, betterments and not less than one hundred thousand dollars, out of the taxes collected by the city from personal property and real estate or other annual compensation received by the city for any use of the tunnel or subway under this act, or for any use of any lands or rights taken under authority of this act, shall annually be used by the treasurer, — first, to meet the requirements of, and any deficiency in, the sinking fund, — second, to meet the interest on the bonds, and the surplus, if any, as a part of the general revenue of the city. The proceeds from any sale of lands or rights taken by purchase or otherwise under authority of this act shall be paid into the sinking fund, or shall be used for construction, as the commission may determine.

Enforcement of provisions, etc.

Section 15. The supreme judicial court and the superior court, upon application of any party in interest, including the city or any ten taxable inhabitants thereof, may enforce or prevent violation of the provisions of this act by any appropriate process.

Act to be submitted to voters.

Section 16. If the contract for the use of the tunnel and subway is executed by the commission and the company as hereinbefore provided, this act shall be submitted for acceptance to the voters of the city of Boston at the next city election, and if accepted by a majority of the voters voting thereon, it shall thereupon take full effect. The city shall have, hold and enjoy in its private or proprietary capacity, for its own property, the tunnel or subway built under this act, and all rents, tolls, income and profits from all contracts heretofore or hereafter entered into for the use of said subways or tunnels or any part thereof, and the same shall never be taken by the commonwealth, except on payment of just compensation: *provided, however,* that so much of such rents, tolls, income and profits as may be necessary therefor shall be paid into the sinking fund for the redemption of said bonds and used for the payment of the interest thereon.

Tunnel, etc., to be property of city of Boston.

Proviso.

Removal of elevated structure.

Section 17. Upon the completion of the tunnel or subway and appurtenances and upon notification as herein provided, the commission shall remove, and the company shall forthwith discontinue the use of, the elevated structure of the company between the points where the subway or tunnel has been constructed under the provisions of this act and as shall be determined by the commission. The

expense of removing the elevated structure between the points aforesaid shall be deemed a part of the cost of the tunnel or subway. The tunnel or subway during the term of the contract hereinbefore provided for shall be considered a part of the elevated railway operated by the company; and the board, subject to the provisions hereof, shall have and exercise the same power and control over the same in all respects that are conferred upon the board as to the elevated structure by chapter five hundred and forty-eight of the acts of the year eighteen hundred and ninety-four, chapter five hundred of the acts of the year eighteen hundred and ninety-seven and by other acts in addition thereto or in amendment thereof. The company, upon removal of the existing structure may sell any lands or other property acquired for the purposes of operating its elevated railway between the points aforesaid, applying all proceeds thereof to proper corporate uses; and such discontinuance or sale shall not be deemed to impair the capital of the company. *Approved June 13, 1913.*

Sale of lands, etc., upon removal of structure.

Chap. 776 AN ACT RELATIVE TO THE CONSTRUCTION OR IMPROVEMENT OF A HIGHWAY BETWEEN THE TOWNS OF WARE AND WEST BROOKFIELD.

Be it enacted, etc., as follows:

Construction of highway between Ware and West Brookfield.

SECTION 1. In addition to the sum of ten thousand dollars which the Massachusetts highway commission was authorized to expend, by the provisions of chapter seven hundred and three of the acts of the year nineteen hundred and twelve, in the construction or improvement of the highway between Pond hill, so-called, in the town of West Brookfield, and the Gilbertville road, so-called, in the town of Ware, said commission is hereby authorized to expend the sum of ten thousand dollars for the purpose specified in said act and in accordance with the provisions thereof. Any unexpended balance of the sum hereby authorized to be expended may be used in the succeeding year for the same purpose.

SECTION 2. This act shall take effect upon its passage. *Approved June 13, 1913.*

An Act to modify certain locations of the Boston Elevated Railway Company and to provide for the construction of a subway in the cities of Everett and Malden. *Chap.777*

Be it enacted, etc., as follows:

Part I.

Section 1. Upon the acceptance of this act as provided in section forty-two hereof the locations for an elevated railway granted to the Boston Elevated Railway Company, hereinafter called "the company", by chapter four hundred and ninety-seven of the acts of the year nineteen hundred and seven, within the city of Malden, and that part of the location for an elevated railway granted to the company by said act within the city of Everett between the Malden line and the point of connection, which shall be south of the right of way of the eastern division of the Boston and Maine Railroad, between the subway authorized by this act and the elevated railway to be built by the company within the city of Everett, shall be revoked. The locations so revoked shall upon the acceptance of this act be of no further force and effect and the company shall not be subject to any penalty for omission to construct an elevated railway upon the said locations. The part of said location for an elevated railway in the city of Everett between the Boston line and said point of connection with the subway authorized by this act and the location in the city of Boston granted by chapter four hundred and ninety-seven of the acts of the year nineteen hundred and seven shall continue to be held by the company subject to all the terms and provisions and with all the rights and powers specified in said chapter four hundred and ninety-seven.

Certain locations granted to the Boston Elevated Railway Company to be revoked upon acceptance of this act.

Section 2. All expenditures made by the company before the acceptance of this act for, or in contemplation of, the construction of an elevated railway, or appurtenances or stations for elevated railway, upon locations revoked by this act may be treated by the company for the purposes of the issue of capital stock or bonds and other accounting purposes as part of the cost of the construction of its elevated railway upon the locations granted by said chapter four hundred and ninety-seven, which are not revoked by section one of this act.

Certain expenditures may be treated as part of cost of construction of elevated railway.

Certain authority of company to cease upon acceptance of this act.

Section 3. Upon the acceptance of this act section three of chapter four hundred and ninety-seven of the acts of the year nineteen hundred and seven shall be repealed and all authority of said company to construct any part of its elevated railway structure thereunder shall cease and determine, and if this act is accepted, the crossing of the elevated railway authorized by said chapter four hundred and ninety-seven over the waters of the Mystic river shall be made under the provisions of this section.

Structure erected over Mystic river to be approved by joint board.

The structure to be erected by the company in and over said river shall be such as the directors of the port of Boston and the board of railroad commissioners, hereinafter called "the board", acting jointly, shall, after public notice and hearing, approve.

Relocation of channel of Mystic river at Malden bridge, etc.

The directors of the port of Boston are hereby authorized and directed to order and make a relocation of the channel of Mystic river at and in the vicinity of the Malden bridge, so that said channel will at said point be nearer the middle of the river, and also to order and require the city of Boston to construct a new draw in the Malden bridge to permit the use for purposes of navigation of said channel as relocated.

Construction of draw opening, etc.

The draw opening in the bridge to be constructed by the company, and also in the Malden bridge, shall be seventy-five feet in width across the channel as relocated, and the said directors may make such requirements upon the company and upon the city of Boston as said directors shall deem necessary to secure the simultaneous operation of the said draws in said bridges. The directors of the port of Boston shall determine the cost of the city of Boston of constructing the new draw in the Malden bridge as above provided, and the said cost shall be paid by the company to the city and shall be deemed a part of the cost of the construction of the bridge to be built by the company.

Relocation of channel of Mystic river to be approved by secretary of war of United States, etc.

Section 4. Within sixty days after the acceptance of this act the directors of the port of Boston shall make an order, showing the relocation of the channel of Mystic river at and in the vicinity of the Malden bridge as authorized and directed by the preceding section, and upon making such order, said directors shall take such steps as may be necessary to secure the approval of the secretary of war of the United States, or other federal officer having jurisdiction in the premises, of the proposed relocation of said channel.

Filing and approval of plans for

Within thirty days after the approval by the secretary of war, or such other officer, of said relocation

of the channel of the Mystic river the company shall file with the directors of the port of Boston, and with the board, plans for the structure to be built by the company across said river for approval by said directors and said board acting jointly under the terms of the preceding section, and immediately upon approval by said directors and said board, acting jointly, of plans for the structure to be erected by the company across said river, the company shall submit the plans so approved to the secretary of war, or other federal officer having jurisdiction in the premises, for such approval as may be required by law. The period for the construction of the bridge to be built by the company and of the elevated railway of the company upon locations within the cities of Boston and Everett, granted by chapter four hundred and ninety-seven of the acts of the year nineteen hundred and seven and not revoked by section one of this act, shall be eighteen months beginning with the date of the approval by the secretary of war, or other federal officer having jurisdiction in the premises, of the plans for the structure to be built by the company across Mystic river: *provided, however*, that, if the construction by the company of said bridge, or of the elevated railway, or of any other part of said elevated railway and its appurtenances shall be delayed by litigation, unforeseen casualty or any other cause, the company may apply to the board for an extension of the time therefor, and the board, upon notice to the cities of Boston, Everett and Malden, and upon hearing and proof that such litigation was not collusive, or that such casualty or other cause was not due to the fault of the company, may determine what extension of time may reasonably be allowed for the completion thereof by the company, and such further time shall thereupon be allowed therefor. The board may, after notice to the city of Everett and a hearing, authorize such change of the route of the elevated structure of the company within the city of Everett as it shall deem advisable in order to provide for the connection of said elevated structure with the subway to be built under the authority of this act.

Structure to be built across Mystic river.

Limit of time for construction.

Proviso.

Route may be changed after hearing, etc.

PART II.

SECTION 5. The company may construct in the cities of Everett and Malden, hereinafter called "the cities", under the supervision of the board to the extent hereinafter pro-

Construction of the "Everett and Malden subway."

vided, a subway or subways, hereinafter called "the Everett and Malden subway", of sufficient size for two railway tracks and adapted to the running of elevated trains or surface cars therein, to be operated by electricity or other motive power, except steam, with approaches, entrances, sidings, stations, terminals, inclines, cuts, loops, connections and other suitable appurtenances therefor, all hereinafter called "appurtenances", beginning at such point in the city of Everett south of the right of way of the eastern division of the Boston and Maine Railroad as may be suitable for the connection of such subway with the elevated railway which the company is authorized to build within the city of Everett, and thence in and under private lands or public streets, ways or places between the easterly line of Broadway in the city of Everett on the east and the eastern division of the Boston and Maine Railroad on the west to the junction of said Broadway and Main streets in the city of Everett; thence through and under said Main street in Everett and Malden or in and under public or private lands adjacent to said street to a point or points in or near Malden square in the city of Malden. The cities, or either of them, may and shall, if, after notice and hearing, the board shall so order, discontinue or change the grade of any part of any highway or other way so far as may be necessary to accommodate the construction of said subway and appurtenances.

Preliminary investigations, plans, etc.

Section 6. Upon the acceptance of this act the company may enter upon any land so far as may be necessary to make preliminary investigations, surveys and plans, and may place and maintain marks therein, make borings and excavations, and do all other acts necessary for such investigations and surveys.

Work not to be begun until plan has been filed, etc.

Section 7. The company shall not begin the work of construction of the subway until it has filed in the office of the engineer of each of the cities a plan showing the proposed route or location thereof within such city and the general form and method of construction with the location of proposed tracks and stations and approaches; nor until the said plan shall have been submitted for approval to the mayor of the city in which the structures shown thereon are to be constructed. Any such plan may be amended or altered at any time by a new plan. After thirty days from the filing thereof, and whether the mayor

has or has not approved the plan, the company shall apply to the board, which, after such notice and hearing as it deems proper, shall approve the plan or alter the same in such manner as it may deem necessary. Each of said cities may employ a competent engineer, at the expense of the company, with whom to consult in reference to the said plan and the construction of the subway herein authorized. The company shall not begin the work of construction of any subway under or across the tracks of the eastern division of the Boston and Maine Railroad or of the Saugus branch of said railroad until the grade and elevation of such subway at such crossings shall have been approved by the board after due hearing.

Company may take lands, rights, etc.

Section 8. The company may take or acquire by purchase or otherwise for the subway purposes of this act, which purposes shall cover takings for the subway and appurtenances and for connections between the subway or subways and any elevated or surface tracks and for terminals or stations, and, also, for the relocation of any structures necessitated by the construction of the subway or appurtenances, outside the limits of public ways, parks or other public lands, any lands in fee, including the buildings thereon, and any easements or limited estates, or rights in lands including the right to go under or above the surface thereof, or through or under buildings or parts of buildings thereon, which it may deem necessary therefor; and any taking under this act in fee or otherwise may be made whether the lands taken or affected are held by title under eminent domain or otherwise. A taking or purchase of an easement or limited estate or right in a given parcel of real estate, whether such parcel consists of unimproved land or of land and buildings, may be confined to a part or section of such parcel fixed by planes or other surfaces of division below, above or at the surface of the soil, and in such case no taking need be made of other parts or sections thereof, except such easements therein, if any, as the company may deem necessary. Except as otherwise provided herein, the company may locate and construct the subway herein provided for and its appurtenances wherever it deems best within the limits herein prescribed, or for the purpose of obtaining the most advantageous alignments, curves and grades, with the approval of the board, in and under public or private lands adjacent to or near

Use of public ways, etc.

the routes herein defined. For the purposes of this act and within the limits herein prescribed public ways and parks, except Bell Rock Memorial park in the city of Malden, and lands over which the same are laid out, or other public lands, may be used without compensation for such use with the same rights and immunities which the public would have in making the same use thereof.

Description of lands, etc., taken to be recorded, etc.

SECTION 9. To make any taking for subway purposes by right of eminent domain, the company shall cause to be recorded in the registry of deeds for the southern district of the county of Middlesex a description of the lands, easements, estates or rights taken, as certain as is required in a common conveyance of land, with a statement that the same are taken for subway purposes under the authority of this act, signed by a majority of its directors; and the lands, easements, estates or rights so described shall thereupon be taken for the said purposes. The company shall at the same time give notice of such taking to the owner of the property taken, if he is known, but want of such notice shall not affect the validity of the taking nor extend the time for proceedings for damages.

Owner to be notified, etc.

Damages.

SECTION 10. The company shall pay all damages to or for property taken or injured by it in any work done in or in connection with any subway construction by it under authority of this act, except that no damages shall be payable in respect of the use of public ways or parks or the lands over which the same are laid out, or other public lands, and the company may agree with any owner of such property upon the amount to be paid as compensation or damages therefor; and if the parties do not agree such compensation or damages may be determined by a jury in the superior court for the county of Middlesex on petition of the owner against the company filed in the clerk's office before the expiration of two years from the recording of the taking, or from the time of the injury to the property; and judgment shall be entered upon the verdict of the jury, and costs shall be taxed and execution issued in favor of the prevailing party as in other civil cases. The provisions of sections seventeen to twenty-five, inclusive, and of section one hundred and fourteen of chapter forty-eight of the Revised Laws, relating to procedure in the case of damage to estates in which several parties have different or several interests, shall apply to proceedings in such

Parties aggrieved may apply for a jury, etc.

Certain provisions of law to apply.

cases under this act. The company shall indemnify the cities against all liability for damages arising out of the work provided for by Part II of this act upon notice of any claim therefor and opportunity to defend against such claim.

May sell or lease certain lands, etc.

Section 11. Whenever any lands or other property of the company acquired for subway purposes under Part II of this act cease to be needed for such purposes the company may sell the same, and may at any time sell or remove any buildings thereon; or it may lease any such lands, buildings or interest in lands or other property; and may sell any surplus materials from excavations. The proceeds of such sales and leases and the fair valuation of such lands and other property not sold, as agreed upon by the city in which such lands are situated and the company, or, in case of disagreement, as determined by the board, shall be deducted from the cost to be paid for the purchase of the subway by the cities as hereinafter provided.

Mayor may order removal or relocation of tracks, etc.

Section 12. The mayor of each of said cities may, or upon the written request of the company shall, order the temporary or permanent removal or relocation of any surface tracks other than the tracks of a steam railroad, or of any conduits, pipes, wires, poles or other property of any person or corporation, except the city or the company, situated within the limits of such city, which the company deems to interfere with the construction or operation of the subway or subways constructed under this act, and at the same time the mayor shall grant relocations for any such structures previously having locations. Any such order of the mayor of either of said cities, to the extent specified therein, shall be deemed a revocation of a former right or license to maintain such surface tracks, conduits, wires, pipes, poles or other property, and the owner of any such structures, or other property, shall comply with such order without expense to the company. If the owner shall fail to comply with such order within a reasonable time, to be fixed therein, the company may remove such surface tracks, conduits, pipes, wires, poles or other property and may relocate and reconstruct the same, and the cost of such removal, relocation or reconstruction shall be repaid to the company by the owner: *provided, however*, that the removal, relocation and reconstruction of gas pipes and

Proviso.

telephone or electric lighting conduits or cables shall be done by the company, the owner paying for any new material required in place of the old; and the cost of the work, so far as it forms a part of the cost of any subway, shall be repaid by the owner to the city in which such structure is situated upon the purchase of such subway by such city, as hereinafter provided, with such interest, if any, as the city may be required to pay the company thereon. No such discontinuance, removal or relocation shall entitle the owner of the property thus affected to any damages on account thereof. The removal or relocation of any property of the commonwealth shall be subject to the approval of the public authorities having charge thereof or of the board, and at the expense of the company. Any gas or electric lighting company may shut off the gas or current from any pipes or wires affected by any action done hereunder, so far as may be necessary to avoid the escape or explosion of gas or other danger. Temporary locations shall be granted by the mayor of either of said cities, on request of the company, for any surface tracks owned or operated by it within such city, and, as soon as the state of the work permits, the company shall restore such tracks to the original locations as nearly as may be except in cases where surface lines are wholly discontinued. The company may remove any poles, wires, pipes, conduits, sewers, drains or other structures of the city, so far as the work may require, on condition that the same shall be replaced at the expense of the company in a condition, so far as may be, as serviceable as their condition before such removal, using such new material as may be necessary, and in such place and manner as the duly authorized city officers shall direct or approve.

Temporary locations, etc.

Section 13. Whenever the company shall make an excavation in any public way or park or other public lands it shall be upon condition that, if so directed by the mayor of the city within which such excavation is made, it shall deliver such part of the surplus materials taken from such excavation as it does not use at such point or points in the city as the mayor may direct within two miles from the place of such excavation, and such materials may be conveyed upon street railway tracks on locations then existing, or temporary locations which the mayor upon request of the company shall grant therefor. The company shall comply with all rules, regulations and ordinances of the

Certain surplus materials to be delivered to city, etc.

City ordinances, etc., to be complied with.

city in which any work is done relating to obstructions or excavations of any ways or public lands so far as such rules, regulations and ordinances are reasonably applicable to the work in the opinion of the board, and shall, at its own expense, restore the surface thereof, as soon as may be practicable, to a condition as good as its former condition.

Public ways to be left open for travel between certain hours.

Section 14. All subway work done under Part II of this act in or under any public way of either of said cities, shall be conducted, so far as may be practicable, in such manner as to leave such way, or a reasonable part thereof, open for travel between the hours of seven in the forenoon and six in the afternoon of each secular day except public holidays: *provided, however,* that any such way may, if the company deems it necessary, be closed to public travel for distances not exceeding one third of a mile each along the line of construction.

Proviso.

Subway stations.

Section 15. Subject to the approval of the board, and after notice to the cities and a hearing, the company may locate subway stations at convenient points, with suitable exits and approaches to and from the streets and such stations.

Determination of certain questions.

Section 16. The company shall be entitled to written notice of the proposed determination by either of said cities, or by any officer thereof, of any question arising in the course of the subway work provided for by Part II hereof which such city or such officer is authorized by this act to determine, and to confer with such city or such officer thereon; and if such determination when made is not satisfactory to the company it may, within seven days after receiving written notice thereof, to be given after such determination, apply to the board for a revision thereof, and thereupon the board may consider and finally determine such question.

Placing of wires in subways.

Section 17. Any person or corporation using or authorized to use wires along the route of the said subway or subways may place the same therein in such manner and upon such terms as to compensation and otherwise as may be agreed upon with the company; except that no contract therefor shall extend beyond the time for the purchase of the subway by the cities as hereinafter provided.

Copies of bills, etc., to be filed with city auditors.

Section 18. The company shall file with the auditor of accounts of each city in which part of the subway provided for by Part II hereof is constructed, correct copies of all bills and accounts of the cost of construction thereof,

and also a statement of all sums credited as the work proceeds.

Certificate of completion to be filed, etc.

Section 19. Upon completion of the subway provided for by Part II hereof and before the same shall be opened for public use, it shall be examined by the board, and if it appears that all laws relating to its construction have been complied with and that the subway is in a safe condition for operation, the board shall give to the company a certificate to that effect, which shall be filed in the office of the secretary of the commonwealth; and thereupon the company shall be authorized to open such subway for public use.

Issue of capital stock or bonds, etc.

Section 20. The company may from time to time, subject to the approval of the board, in the manner and subject to the requirements of law, issue and dispose of such additional amounts of its capital stock or bonds, or of either at its option, as may be necessary to meet and pay the cost of construction, connection and equipment for use and operation of the subway which it is authorized by this act to construct, and its appurtenances and terminals, the cost of acquisition of any lands, and all other expenditures made or incurred by the company under authority of this act. If the subway authorized by Part II hereof is acquired by the cities as herein provided, the amount received by the company therefor shall be applied, with the approval of the board given after a public hearing, to the purchase or payment and cancellation of obligations of the company, or, with like approval, to the purchase and cancellation of shares or other reduction of its capital stock, or, with like approval, for any purposes for which said board might approve the issue of new capital stock or bonds.

Subway to be considered part of elevated railway.

Section 21. The subway constructed by the company under this act, with its appurtenances and equipment, shall be considered, for the purposes of regulation by the board and for the purposes of section four of chapter five hundred and forty-eight of the acts of the year eighteen hundred and ninety-four as now amended, a part of the elevated railway of the company.

Payment of taxes, etc.

No taxes or excises not in fact imposed upon street railways at the time of the passage of chapter five hundred of the acts of the year eighteen hundred and ninety-seven, or any other burden, duty or obligation which is not at the same time imposed

by general law upon all street railway companies, shall be imposed upon or in respect of such subway or its appurtenances or equipment during the period of twenty-five years after the passage of said chapter five hundred: *provided, however,* that the company shall continue to be annually assessed and to pay taxes then or thereafter imposed by general law in the same manner as though it were a street railway company, as provided in section ten of said act, and to pay the compensation tax imposed by said section ten; and the said subway and its appurtenances, equipment and locations, and the right to maintain the same shall be held by the company by and upon the same tenure and with the same rights, privileges and immunities therein as are provided by said chapter five hundred in respect to its elevated lines and structures, and shall never be taken or purchased from the company, unless by its consent, except in the manner and upon the terms prescribed in sections six and seven of Part II of chapter four hundred and sixty-three of the acts of the year nineteen hundred and six, or under the right of purchase conferred upon said cities by section twenty-three of this act. The provisions of the compensation clause of section ten of chapter five hundred of the acts of the year eighteen hundred and ninety-seven shall, for the purpose of distribution of the tax thereby imposed, include the additional track mileage of the company constructed under this act. Proviso.

Section 22. In respect to the equipment, use and operation of the railways to be constructed in the said subway and to transportation therein, the company shall have all the rights, privileges and immunities and be subject to all the duties, liabilities and restrictions set forth in general or special laws now in force applicable to it, or in any laws hereafter enacted applicable to it, so far as such laws do not impair its rights, privileges or immunities acquired under any statute or otherwise. Rights, privileges, etc.

Section 23. At any time after the expiration of twenty years from the opening for use of the Everett-Malden subway, constructed under Part II of this act, or at any earlier time by agreement with the company, upon the payment to it by the city of Everett of such amount as will reimburse the company for the original cost of that part of the subway situated within said city, and the payment to it by the city of Malden of the cost of that part of the sub- Cities may purchase subway, etc.

Cities may purchase subway, etc.

way which is situated within said city, which cost shall in each case include the appurtenances and equipment of the subway, but not rolling stock, together with the cost of additions or alterations lawfully made thereto or therein within either of the said cities, with simple interest at seven per cent per year on the cost paid in by its stockholders or its bondholders, to be computed from the time of such payment by the stockholders or bondholders, but not prior to the opening for use, in addition to interest at three and one quarter per cent per year on all sums expended in construction from the time of their expenditure to the time for the opening for use, deducting, however, from such interest any and all dividends declared and paid after such opening for use upon any stock issued therefor and any and all interest paid upon bonds issued therefor, but without interest upon such dividends or upon such interest, and also deducting from the purchase price such other amounts accruing from property acquired for such subway as are specified in section eleven of this act, the title to the part of said subway within the city of Everett and its appurtenances and equipment as aforesaid and additions thereto and all rights and interest therein shall vest exclusively in the city of Everett, and the title to the part of said subway and its appurtenances and equipment as aforesaid and additions thereto situated within the city of Malden, and all rights and interest therein shall vest exclusively in the city of Malden. This right of purchase of the said cities shall be in addition to the right of the commonwealth under sections six and seven of Part II of chapter four hundred and sixty-three of the acts of the year nineteen hundred and six, but shall not otherwise affect any rights of the commonwealth. And until and unless the commonwealth shall exercise the said right to take said subway by eminent domain, the cities shall, in addition to the rights hereinbefore conferred upon them, severally have the right, reserved to the commonwealth by said section seven of Part II of chapter four hundred and sixty-three of the acts of the year nineteen hundred and six, to take by eminent domain the title to that part of the subway and its appurtenances situated within the city exercising such right. In the event of the exercise of said right to take by eminent domain the part of said subway within its limits, the city exercising such right shall have the

same rights and be subject to the same conditions and limitations, so far as they may be applicable, as are set forth in section forty of this act. Neither of said cities shall, however, exercise the right to acquire by eminent domain the part of said subway within its limits, unless the other of said cities shall also exercise its right so to acquire the part of said subway within its limits, and if either of said cities shall make any taking of the part of said subway within its limits, such taking shall be void, unless within ninety days after the recording thereof the other of said cities shall exercise its right to acquire by eminent domain the part of said subway within its limits. Upon any purchase each of said cities shall have, hold and enjoy in its private or proprietary capacity as its own property the part of said subway situated within its limits, and all rights, tolls, income and profits derived therefrom, and the same shall never be taken by the commonwealth, except upon payment of just compensation therefor: *provided, however,* that so much of said rents, tolls, income and profits as may be necessary therefor shall be used for the redemption of any bonds issued by either of said cities for the said purchase and for payment of interest thereon. Proviso.

Section 24. For the purpose of meeting the requirements of section twenty-three of this act each of said cities may issue from time to time notes, bonds, or scrip in excess of the debt limit prescribed by law, designated on the face thereof, Subway Loan, Act of 1913, to an amount not exceeding the sums required by section twenty-three, and shall use the proceeds of such notes, bonds or scrip for the said purpose. Subway Loan, Act of 1913.

Section 25. Unless the company shall, within five years after the acceptance of this act, begin the construction of the subway which the company is authorized to construct by Part II of this act, the location of said company for said subway and all rights of said company to construct, maintain and operate such subway shall cease and determine; and if the company undertakes the construction of said subway it shall complete the same within two years after the expiration of said five-year period: *provided,* that if the construction of the subway authorized by Part II of this act is delayed by litigation, unforeseen casualty or other cause, the company may apply to the board for an extension of time therefor, and the board, Limit of time for construction, etc. Proviso.

upon notice to the cities, and upon hearing and proof that such litigation was not collusive, or that such casualty or other cause was not due to the fault of the company, may allow further time for such construction.

PART III.

Subway may be constructed by Boston transit commission upon request.

SECTION 26. If the company does not, within five years after the date of acceptance of this act, begin to construct the subway authorized by Part II of this act, the cities of Everett and Malden, acting through the Boston transit commission, hereinafter called "the commission", as herein provided, may construct the subway as specified in section five. The commission shall begin the construction of the said subway when, after the expiration of said five-year period without the beginning of the construction of said subway by the company, the commission shall be requested in writing by the mayor and aldermen of each of said cities to undertake the construction of said subway.

Contract may be made with Boston Elevated Railway Company for exclusive use of subway, etc.

SECTION 27. The commission, acting in the name and behalf of said cities and the company, shall, within ninety days after receipt by the commission of the request from the cities as provided in section twenty-six, execute a contract in writing for the sole and exclusive use of the subway by the company for the running of its cars therein, and for such other uses as the commission and the company may agree upon. The annual rental of said subway shall be an amount equivalent to four and one half per cent of the net cost of the subway, and said contract shall be in force for a period of twenty-five years, and shall continue in full force and effect after the expiration of said twenty-five years unless and until said contract is terminated by notice either from the cities of Everett and Malden or from the company, as hereinafter provided. The cities may terminate said contract at the expiration of said twenty-five-year period, or at any time thereafter, by giving to the company at least two years' prior notice in writing, which notice it shall be the duty of the mayors of said cities to give if directed so to do by act of the general court, or if directed so to do by votes of the respective boards of aldermen of said cities. The company may, likewise, terminate said contract at the expiration of said twenty-five-year period, or at any time thereafter, by giving to the mayor of

each of said cities at least two years' prior notice in writing. No notice on the part of either the cities or the company shall be given more than three years prior to the expiration of said twenty-five-year period. The said contract shall contain such other provisions and conditions, not affecting the term or the rental, and following, so far as the same is applicable, the form of the contract made between the city of Boston, acting by the commission, and the company, for the use of the Washington street tunnel, as the commission and the company may agree upon, or, in case of difference, as the board may determine. The provisions of this act, in so far as they declare, define or establish the terms and conditions for the construction, tenure, maintenance and operation of the subway, shall be embodied in and made a part of said contract. The use of the subway shall begin when, in the opinion of the commission, a reasonable time after completion has been allowed for equipment. The net cost of the subway shall be deemed to include, except as otherwise provided herein, all expenditures incurred in acquisition and construction, including damages, expenses of the commission, including such part of the compensation of its members, its chief engineer, secretary and office employees as the commission may from time to time determine to be equitable and proportionally chargeable to the work authorized by this act; and interest on the debt incurred in construction prior to the beginning of the use, at the rate of three and one quarter per cent per annum. The commission shall determine the cost of the construction of the part of said subway situated within the city of Everett, and also the cost of construction of the part of said subway situated within the city of Malden, and the rental payable under said contract shall be paid to the respective cities in proportion to the cost of the part of the subway within each of said cities.

Work not to be begun until plan has been filed, etc.

Section 28. The commission shall not begin the work of construction until it has filed, in the office of the engineer of each of said cities, a plan signed by the commission, showing the proposed route and the general form and method of construction and the location of the proposed tracks, stations, approaches and connections, and the alignment and grade of the part of said subway, and its appurtenances, to be located within such city, and the said plans shall be submitted to the company for its examination.

Any such plan, so filed, may be altered at any time by a new plan signed, submitted and filed in like manner.

Preliminary investigations, plans, etc.

SECTION 29. The commission shall, immediately after the receipt of the request from said cities specified in section twenty-six, make such preliminary investigations, surveys and plans as it may deem expedient, and to that end may enter upon any lands, and place and maintain marks thereon, and may make excavations and borings and do all other acts necessary for such investigations and surveys and may expend such sums as it deems necessary therefor. The expense of such investigations and surveys shall be deemed a part of the cost of the subway. The construction of the subway shall be begun immediately after the contract for the use of the subway has been executed by the commission and the company.

Contracts.

SECTION 30. The commission may make contracts in the name of each of said cities for the work herein authorized to be done within the limits of such city, but all contracts involving two thousand dollars, or more, in amount, shall be in writing and shall be signed by a majority of the commission; and no such contract shall be altered except by an instrument in writing signed by the contractor and a majority of the commission, and also by the sureties, if any, on the bond given by the contractor for the completion of the original contract. No such contract and no such alteration of any such contract shall be valid or binding on either of said cities unless executed in the manner aforesaid.

Public ways to be kept open for travel between certain hours.

SECTION 31. All work done by the commission under this act under or near public streets and places shall be conducted, so far as may be practicable, in such manner as to leave such streets or places, or a reasonable part thereof, open for travel between the hours of seven in the forenoon and six in the afternoon of each secular day, except legal holidays: *provided, however,* that any public way or place may, if the commission deems it necessary, be closed to public travel for distances not exceeding one third of a mile each along the line of construction.

Proviso.

Public ways may be used, lands taken, etc.

SECTION 32. The commission may, for the purposes of this act, use public ways and lands without compensation therefor, and may take, or acquire by purchase or otherwise, for either of said cities, lands in fee and easements, estates, and rights in land, including the right to go under the surface thereof, or through or under buildings or parts

of buildings thereon; and such taking, in fee or otherwise, may be made whether the lands taken or otherwise affected are held under or by title by right of eminent domain, or otherwise, and may be made for the purpose of providing locations for pipes, wires, conduits and other structures, the relocation of which is made necessary or expedient by the construction of any subway or tunnel authorized by this act. The taking, under this section, of an easement, or other estate or right in a given parcel of real estate, whether such parcel consists of unimproved land or of land and buildings, may be confined to a portion and section of such parcel fixed by planes or other surfaces of division, below, above or at the surface of the soil; and in such cases no taking need be made of upper or lower portions or sections, except of such easements therein, if any, as the commission may deem necessary. The commission, to make any taking by right of eminent domain shall cause to be recorded in the registry of deeds for the southern district of the county of Middlesex a description of the lands, easements, estates or rights to be taken, as certain as is required in a common conveyance of land, with the statement that the same are taken under authority of this act, which description and statement shall be signed by the commission; and the lands, easements, estates or rights therein described shall, upon such recording, be taken for and shall vest in the city for which the taking is made. The commission shall, so far as may be practicable, notify all known owners of such proposed taking, but the validity of the taking shall not be affected by want of such notice.

Description of lands, etc., taken to be recorded, etc.

Section 33. The commission may sell the buildings and other structures upon any lands acquired by it, or may remove the same; and shall sell, if the sale be practicable, or if not, shall lease any lands or rights or interest in lands, or other property acquired for the purposes of this act, whenever the same shall, in the opinion of the commission, cease to be needed for the said purposes. The proceeds of the sales and leases, and the fair valuation of such lands or other property, no longer needed for the said purposes, but not actually sold, as agreed upon by the commission and the company, or, in case of difference, as determined by the board, shall be deducted from the cost of the subway in the city within which such lands are situated, for the purpose of ascertaining and paying the rental thereof.

Certain property may be sold or leased, etc.

Proceeds, how applied.

Damages.

Section 34. The commission may determine and award the damages sustained by any person by reason of any property, except public ways or lands, taken or injured by the commission under authority of this act, and may agree with any such person as to the amount of his damages, which amount the city in which such lands are situated shall be liable to pay. If any such person is dissatisfied with such award, or cannot agree with the commission upon his damages, the same may be determined by a jury in the superior court for the county of Middlesex, on petition therefor of such person or of the commission against the city in which such lands are situated, filed in the clerk's office within two years after the property is taken, entered upon or injured; and judgment shall be entered upon the determination of the jury, and costs shall be taxed and execution issued in favor of the prevailing party as in other civil cases. The members of the commission shall not be liable, personally, for any such damages. The provisions of sections seventeen to twenty-five, inclusive, and of section one hundred and fourteen, of chapter forty-eight of the Revised Laws, relating to procedure in the case of damage to estates in which several parties have different, or several interests, shall apply to proceedings in such cases under this act.

Persons aggrieved may apply for a jury.

Certain provisions of law to apply.

Removal or relocation of certain tracks, conduits, etc.

Section 35. The commission may order the temporary or permanent removal or relocation of any surface tracks, or of any conduits, pipes, wires, poles or other property of any person or corporation, which it deems to interfere with the construction or operation of the subway authorized by this act, and shall plan new locations for any such structures so removed or relocated. Such orders, to the extent specified therein, shall be deemed a revocation of the right or license to maintain such tracks, conduits, pipes, wires, poles or other property, and the owners of such tracks or other property shall comply with said orders without expense to the city in which such streets are situated. If any such owner shall fail to comply with the order of the commission within a reasonable time, to be fixed in the order, the commission may discontinue and remove such tracks, conduits, pipes, wires, poles or other property, and may relocate the same, and the cost of such discontinuance, removal or relocation shall be repaid by the owner to the city in which such streets are situated. No such discontinu-

ance, removal or relocation shall entitle the owner of the property thus affected to any damages on account thereof. Any such structures in or upon private lands may be removed and relocated by the commission, or if removed and relocated by the owner thereof, the reasonable expense of such removal and relocation shall be paid to him by the commission. Any gas or electric lighting company may shut off the gas or current from any pipes or wires affected by any acts done hereunder, so far as may be necessary to avoid danger of escape or explosion of gas, or other danger.

Gas or electricity may be shut off when necessary.

SECTION 36. Upon the determination by the commission of any important question relating to any plan or work herein provided for, except an award of or agreement upon damages as provided in section thirty-four hereof, the company may, within three days after notice of such determination, apply to the board for revision of the same, and, thereupon, the board may consider and finally determine such question.

Determination of certain questions.

SECTION 37. The company, for the equipment of the subway which the cities are authorized to construct under section twenty-six of this act, and for all expenditures by the company required or authorized for the equipment of the said subway, may, from time to time, in the manner and under the requirements prescribed by law, issue and dispose of such amounts of its capital stock and bonds, or of each, at its option, as may be necessary therefor. In respect to the equipment, use and operation of the railway to be situated in the subway, and to transportation therein, the company shall have all the powers and privileges, and be subject to all the duties, liabilities, restrictions and provisions set forth in the general and special laws now or hereafter in force applicable to it. To provide for proper connections with any subway station authorized by this act, the company may make such alterations or extensions of its surface tracks and appurtenances as the board may approve.

Issue of capital stock, etc.

Alterations, etc., of surface tracks, etc.

SECTION 38. The subway authorized by section twenty-six shall be considered a part of the elevated railway operated by the company; and the railroad commission, subject to the provisions of the contract, shall have and exercise the same power and control over the said subway, in all respects, that are conferred upon the board of railroad

Subway to be considered part of the elevated railway, etc.

commissioners in regard to the elevated structure by chapter five hundred and forty-eight of the acts of the year eighteen hundred and ninety-four, and by chapter five hundred of the acts of the year eighteen hundred and ninety-seven, and by any other laws relative thereto. The provisions of the compensation clause of section ten of chapter five hundred of the acts of the year eighteen hundred and ninety-seven shall, for the purpose of distribution of the tax thereby imposed, include the additional track mileage of the company constructed in the subway authorized by section twenty-six of this act.

Certain provisions of law to apply.

Everett-Malden Subway Loan, Act of 1913.

SECTION 39. The treasurer of each of said cities, for the purpose of paying the necessary expenses and liabilities incurred under this act, shall from time to time, upon the request of the commission, issue and sell at public or private sale bonds of such city, registered or with interest coupons attached, as he may deem best, to an amount not exceeding the cost of the subway within the limits of such city, as determined by the commission. Such bonds shall be designated on their face Everett-Malden Subway Loan, Act of 1913, shall be for such terms, not exceeding fifty years, and shall bear interest semi-annually at such rate, not exceeding four per cent per annum, as the mayor and the treasurer of the city issuing the bonds shall determine. The debts incurred by each of said cities from time to time under the provisions of this act shall not be included in determining the statutory limit of indebtedness of the city. The proceeds of the said bonds shall be used by the commission to meet all damages, costs, and expenses incurred by the commission in carrying out the provisions of Part III of this act. The bonds shall be payable by such annual payments beginning not more than five years after the date thereof as will extinguish each loan within fifty years from its date, but all loans issued subsequent to the completion of said subway shall be payable by such annual payments beginning not more than one year after the date thereof as will extinguish each loan within fifty years from its date; and the amount of the annual payment of any loan in any year shall not be less than the amount of the principal of said loan payable in any subsequent year. Each authorized issue of bonds shall constitute a separate loan. All rents, tolls, percentages, or other annual compensation received by the city for any use of the subway

constructed under authority of this act, shall annually be used by the treasurer of such city to meet, (1) the payment of said bonds as they mature, (2) the interest on the subway bonds issued by such city; and the surplus, if any, shall be placed in a fund for the purchase or cancellation of bonds issued under authority of this act. The proceeds from any sale of lands, rights or other property acquired under authority of this act shall be paid into the said fund of the city in which such lands or other property is situated, or shall be used for construction, as the commission may determine.

Subway to be property of cities.

Section 40. Each of said cities shall severally hold and enjoy in its private or proprietary capacity that part of the subway built under the provisions of Part III of this act, within its limits, and the company shall, in accordance with its contract, pay to such city such portion of the rental for the subway as is proportional to the cost of the construction of that part of the subway within the limits of such city as determined by the commission; and the part of the subway owned by each of said cities shall never be taken by the commonwealth except upon payment of just compensation: *provided, however,* that each of said cities shall, at the time of authorizing said loan or loans, provide for the payment thereof in accordance with the provisions of section thirty-nine of this act; and when such provision has been made a sum which, with the income derived from rents, tolls, percentages, or other compensation received by the city for any use of the subway under this act, and the amounts received from the sale of lands or rights taken or purchased hereunder, will be sufficient to pay the interest as it accrues on the bonds issued as aforesaid by the cities and to make such payments on the principal as may be required under the provisions of this act shall, without further vote, be assessed by the assessors of the city annually thereafter, in the same manner in which other taxes are assessed, until the debt incurred by said loan or loans is extinguished.

Proviso.

Part IV.

Enforcement of provisions of act.

Section 41. The supreme judicial court or superior court, upon application of either of said cities, the company, or of any other party in interest, may enforce, or

prevent the violation of, any provision of this act by any appropriate process.

Time of taking effect.

SECTION 42. This act shall take effect upon its acceptance by the mayor and the board of aldermen of the city of Everett, and by the mayor and the board of aldermen of the city of Malden, and by the company by vote of its board of directors, and return thereof made to the secretary of the commonwealth within two months after its passage.

If act is not accepted, the time for construction of elevated railway shall be extended for certain period, etc.

SECTION 43. In case this act shall not be accepted as provided in section forty-two, then the period specified in chapter four hundred and ninety-seven of the acts of the year nineteen hundred and seven for the construction by the company of an elevated railway for the cities of Boston, Everett and Malden, authorized by said chapter four hundred and ninety-seven, is hereby extended for a period of eighteen months. This provision shall not be construed to limit in any way the power of the board to allow further time for the construction of said elevated railway as provided in section six of the said chapter four hundred and ninety-seven. This section shall take effect upon the passage of this act. *Approved June 13, 1913.*

Chap. 778 AN ACT RELATIVE TO THE LAYING OUT AND CONSTRUCTION OF HUMPHREY STREET IN THE TOWN OF SWAMPSCOTT.

Be it enacted, as follows:

Preparation of plans and specifications for laying out and construction of Humphrey street in Swampscott.

SECTION 1. The Massachusetts highway commission is hereby authorized and directed to prepare forthwith detailed plans and specifications for the laying out and construction of Humphrey street in the town of Swampscott from Monument square to the junction of Humphrey and Orient streets to a uniform width of seventy feet, in such manner as to widen, straighten and relocate said street. Said plans and specifications shall be subject to the approval of the county commissioners of the county of Essex, and the selectmen of the town of Swampscott, or a majority thereof. Copies of the plans and specifications shall be filed by the Massachusetts highway commission with the county commissioners of the county of Essex and the selectmen of the town of Swampscott.

Street to be laid out upon approval of plans, etc.

SECTION 2. Upon the approval of the plans and specifications provided for in section one, the county commissioners of the said county are authorized and directed,

subject to the provisions of chapter forty-eight of the Revised Laws and all amendments thereof and all other general laws which may be applicable, to lay out said Humphrey street in accordance with said plans and specifications.

Relocation, etc., of existing ways, etc.

Section 3. For the purpose aforesaid, said county commissioners are hereby authorized to relocate, alter, widen and discontinue existing highways or other ways or parts thereof, and to order specific repairs thereon, and to take in fee simple or to acquire by purchase or otherwise, any lands, rights or easements and any property which, in their judgment, may be required to carry out the purposes of this act; to purchase or take in fee any or all of the lands and property adjoining the proposed highway between said Monument square and said Orient street, but not exceeding two hundred feet in width of said property on each side of the proposed highway measured from the boundary line thereof. Upon the completion of the layout of said highway said commissioners are hereby authorized to sell any land or property taken or purchased by them under authority hereof, and not needed for the purpose aforesaid. In order to take any land or rights in land the commissioners shall cause to be recorded in the registry of deeds for the southern district of the county of Essex, a description of the lands or rights taken with a statement, signed by them, of the purpose for which they were taken, and with a plan of any land so taken.

Description of lands, etc., taken to be recorded, etc.

Damages.

Section 4. Said county commissioners shall estimate the damage to property, if any, sustained by any person or corporation, by any taking of lands, rights or easements, or by the laying out of the highway, as aforesaid, by the relocation, alteration, widening or discontinuance of existing highways or other ways or by specific repairs ordered to be made thereon. Any person aggrieved thereby may proceed, within one year after the filing of said statement, to have his damages determined in the manner provided by chapter forty-eight of the Revised Laws and any act in amendment thereof or in addition thereto, but in no event shall interest be recovered against the county for more than four per cent per annum.

Construction of sidewalks, etc.

Section 5. Upon the completion of the layout of said Humphrey street as aforesaid, the Massachusetts highway commission shall construct said street to the finished subgrade line, and shall construct sidewalks with curbs, the

necessary retaining walls, and all necessary means of drainage, including any changes which may be necessary in the present underground structures and connections, and shall build a roadway above the finished subgrade of wood block pavement upon a cement base, or some other suitable material, from a line eighteen inches outside the car tracks to the sidewalk curb on each side, in accordance with said plans and specifications.

Work which shall be done by street railway company.

SECTION 6. The Bay State Street Railway Company shall do the work within the double track location to be granted to it under the direction and to the satisfaction of the Massachusetts highway commission.

Apportionment of cost.

SECTION 7. The cost and expense incurred under the provisions of this act shall be borne as follows: The county of Essex shall pay the cost of the layout of said street, and the cost of all land and grade damages. The town of Swampscott shall pay the cost of the necessary grading to the finished subgrade line, of the sidewalks, of all curbs and retaining walls, and of all necessary means of drainage including any changes which may be necessary in the present underground structures and connections. The commonwealth shall pay the cost of the remaining work which shall include the construction of the road above the finished subgrade from a line eighteen inches outside the car tracks to the sidewalk curb on each side.

County commissioners may borrow money, etc.

SECTION 8. For the purpose of meeting the expenditures to be borne by the county of Essex under the provisions of this act, the county commissioners of that county are hereby authorized to borrow from time to time on the credit of the county sums not exceeding one hundred thousand dollars in the aggregate, for periods not exceeding twenty years.

Issue of bonds, etc., by the commonwealth.

SECTION 9. For the purpose of meeting the expenditures hereby authorized to be made by the commonwealth, the treasurer and receiver general is hereby empowered, with the approval of the governor and council, to issue bonds or certificates of indebtedness to an amount not exceeding seventy-five thousand dollars, for a term not exceeding ten years. Such bonds or certificates of indebtedness shall be issued as registered bonds and shall bear interest at a rate not exceeding four per cent per annum, payable semi-annually. They shall be designated on their face, State Highway Loan, shall be countersigned by the governor, and

State Highway Loan.

shall be deemed a pledge of the faith and credit of the commonwealth. The principal and interest thereof shall be paid at the time specified therein in gold coin of the United States or its equivalent; they shall be sold at public auction or disposed of in such other manner and at such times and prices, in such amounts and at such rates of interest, not exceeding the rate above specified, as shall be deemed best.

Issue of bonds, etc., by town of Swampscott.

Section 10. For the purpose of meeting the expenditures hereby authorized by the town of Swampscott, said town is hereby empowered to issue bonds or notes to an amount not exceeding fifty thousand dollars, for a term not exceeding twenty years. Such bonds or notes shall be payable by such annual payments, beginning not more than one year after the date thereof, as will extinguish each loan within twenty years from its date, and the amount of such annual payment of any loan in any year shall not be less than the amount of the principal of said loan payable in any subsequent year. Each authorized issue of bonds or notes shall constitute a separate loan. Said bonds or notes shall bear interest at a rate not exceeding four per cent per annum, payable semi-annually, and shall be signed by the treasurer of the town and countersigned by a majority of the selectmen. The town may sell the said securities at public or private sale upon such terms and conditions as it may deem proper, but they shall not be sold for less than their par value. The said town shall, at the time of authorizing said loan or loans, provide for payment thereof as aforesaid, and when a vote to that effect has been passed, a sum sufficient to pay the interest as it accrues on the bonds or notes issued as aforesaid by the town, and to make such payments on the principal as may be required under the provisions of this act, shall, without further vote, be assessed by the assessors of the town annually thereafter in the same manner in which other taxes are assessed, until the debt incurred by said loan or loans is extinguished. The indebtedness authorized by this act shall not be reckoned in determining the legal limit of indebtedness of the town.

Payment of loan.

Certain provisions of law not to apply.

Section 11. So much of chapter forty-seven of the Revised Laws and of any acts in amendment thereof or in addition thereto as provides for the repayment by a county to the commonwealth of any part of the moneys expended by the commonwealth within the county, shall not apply to

any moneys paid by the commonwealth for the purposes of this act.

County commissioners not disqualified by reason of residence.

SECTION 12. No member of the board of county commissioners for the county of Essex shall be disqualified from serving under the provisions of this act by reason of his residence in a town within the limits of which said highway is situated, notwithstanding any provision of section twenty of chapter twenty of the Revised Laws.

Repeal.

SECTION 13. All acts and parts of acts inconsistent herewith are hereby repealed.

SECTION 14. This act shall take effect upon its passage.

Approved June 13, 1913.

Chap. 779 AN ACT RELATIVE TO SCHOOL ATTENDANCE AND TO THE EMPLOYMENT OF MINORS.

Be it enacted, etc., as follows:

R. L. 44, § 1, etc., amended.

SECTION 1. Section one of chapter forty-four of the Revised Laws, as amended by chapter three hundred and twenty of the acts of the year nineteen hundred and five and by chapter three hundred and eighty-three of the acts of the year nineteen hundred and six, is hereby further amended by striking out the said section and inserting in place thereof the following: — *Section 1.* Every child between seven and fourteen years of age, every child under sixteen years of age who does not possess such ability to read, write and spell in the English language as is required for the completion of the fourth grade of the public schools of the city or town in which he resides, and every child under sixteen years of age who has not received an employment certificate as provided in this act and is not engaged in some regular employment or business for at least six hours per day or has not the written permission of the superintendent of schools of the city or town in which he resides to engage in profitable employment at home, shall attend a public day school in said city or town or some other day school approved by the school committee, during the entire time the public schools are in session, subject to such exceptions as are provided for in sections four, five and six of this chapter and in section three of chapter forty-two of the Revised Laws, as amended by chapter four hundred and thirty-three of the acts of the year nineteen hundred and two, and by chapter five hundred and thirty-seven of the

School attendance of certain children compulsory.

acts of the year nineteen hundred and eleven; but such attendance shall not be required of a child whose physical or mental condition is such as to render attendance inexpedient or impracticable, or who is being otherwise instructed in a manner approved in advance by the superintendent of schools or the school committee. The superintendent of schools, or teachers in so far as authorized by said superintendent or by the school committee, may excuse cases of necessary absence for other causes not exceeding five day sessions or ten half-day sessions in any period of six months. For the purposes of this section, school committees shall approve a private school only when the instruction in all the studies required by law is in the English language, and when they are satisfied that such instruction equals in thoroughness and efficiency, and in the progress made therein, the instruction in the public schools in the same city or town; but they shall not refuse to approve a private school on account of the religious teaching therein.

Approval of private schools.

Section 2. Said chapter forty-four is hereby further amended by striking out section two and inserting in place thereof the following: — *Section 2.* Every person having under his control a child as described in section one shall cause him to attend school as therein required, and, if he fails for five day sessions or ten half-day sessions within any period of six months while such control obtains, to cause such child so to attend school, he shall, upon complaint by an attendance officer and conviction thereof, be punished by a fine of not more than twenty dollars, and no physical or mental condition which is capable of correction, or which renders the child a fit subject for special instruction at public charge in institutions other than public day schools, shall avail as defence under the provisions of this or the preceding section, unless it shall be made to appear that the defendant has employed all reasonable measures for the correction of the condition and the suitable instruction of the child.

R. L. 44, § 2, amended.

Penalty for failure to cause child to attend school.

Whoever induces or attempts to induce a child to absent himself unlawfully from school, or employs or harbors a child while school is in session, shall be punished by a fine of not less than ten nor more than fifty dollars.

Penalty for inducing child to absent himself unlawfully from school, etc.

Section 3. Section three of said chapter forty-four, as amended by section one of chapter two hundred and sixty eight of the acts of the year nineteen hundred and eleven,

R. L. 44, § 3, etc., amended.

is hereby further amended by striking out the said section and inserting in place thereof the following: — *Section 3.* Every child shall have a right to attend the public schools of the city or town where he actually resides, subject to the provisions of section four of this chapter, and to such reasonable regulations as to numbers and qualifications of pupils to be admitted to the respective schools and as to other school matters as the school committee shall from time to time prescribe. No child shall be excluded from a public school of any city or town on account of race, color or religion.

Right of pupils to attend public schools, etc.

R. L. 44, § 4, etc., amended.

Section 4. Section four of said chapter forty-four, as amended by chapter three hundred and seventy-five of the acts of the year nineteen hundred and five and by section two of chapter two hundred and sixty-eight of the acts of the year nineteen hundred and eleven, is hereby further amended by striking out the said section and inserting in place thereof the following: — *Section 4.* It shall be the duty of the school committee of each city or town to provide for the attendance of all children of school age resident therein and to enforce the same under the provisions of section one of this chapter. But if a child who is required by the provisions of said section one to attend school resides temporarily in a city or town other than that of the legal residence of his parent or guardian for the especial purpose of attending school there in preference to the place of such legal residence, the said city or town may, for the tuition of such child during the period of such attendance, recover from the parent or guardian, whether he resides within or without the commonwealth, a sum equal to the average expense per pupil of such school for that period, unless under the provisions of section three of chapter forty-two of the Revised Laws, as amended by chapter four hundred and thirty-three of the acts of the year nineteen hundred and two, and by chapter five hundred and thirty-seven of the acts of the year nineteen hundred and eleven, or of section five of chapter forty-four of the Revised Laws, such tuition is recoverable from the city or town in which the parent or guardian resides.

Attendance at schools in places other than residence of parents, etc.

Tuition.

A child who is not required by the provisions of section one of this chapter to attend school may, in the discretion of the school committee, be required as a condition of admission to a school in a city or town other than that in which

his parent or guardian has a legal residence, to pay as tuition a sum equal to the average expense per pupil in the school which such child seeks to enter, the same to be paid annually, semi-annually or at other periods in advance as the school committee may determine.

Tuition. For the tuition in the public schools in any city or town of any child between the ages of five and fifteen years who shall be placed elsewhere than in his own home by the state board of charity, or by the trustees of the Massachusetts training schools, or kept under the control of either of said boards in such city or town, the commonwealth shall pay to said city or town, and for such tuition of any such child so placed by the trustees for children of the city of Boston, or so kept under the control of said trustees, the city of Boston from its appropriation for school purposes, shall pay to said city or town fifty cents for each week of five days, or major part thereof, of attendance of every such child in the public schools, or, if the school committee of said city or town so desires, an amount equal to the average expense for each pupil of such school during the preceding year, for a period equal to the time during which the child so attends.

Transportation. For the transportation to and from a public school of any child whose tuition is payable by the commonwealth or by the city of Boston under the provisions of this section, the commonwealth or the city of Boston, as the case may be, shall pay to the city or town furnishing such transportation, for each week of five days or major part thereof, an amount equal to the average amount for each child paid by said city or town per week for the transportation of children to and from school over the route by which such child is conveyed.

Settlement of accounts, etc. Settlements of the accounts of the several cities and towns with the commonwealth and with the city of Boston shall be made annually on the first day of April, and the amounts found due shall be paid within three months thereafter. The money received by said cities and towns under the provisions of this section shall be applied to the support of schools. For the tuition in the public schools in any town of less than ten thousand inhabitants of any child between the ages of five and fifteen years not theretofore resident in such town, who is an inmate of an institution containing more than six inmates, such town may recover from said institution the additional school

expense incurred, as may be determined jointly by the school committee of said town and the trustees or managers of said institution, or, in case of disagreement between said school committee and said trustees or managers, as may be decreed by the probate court; but no demand shall be made upon said trustees or managers without a vote of the town instructing the school committee to that effect.

R. L. 46, § 1, etc., amended.

Section 5. Section one of chapter forty-six of the Revised Laws, as amended by chapter two hundred and fifty-six of the acts of the year nineteen hundred and two, is hereby further amended by striking out the said section and inserting in place thereof the following: — *Section 1.* The county commissioners of each county, except the counties of Barnstable, Berkshire, Franklin, Hampshire, Dukes County and Nantucket, shall maintain either separately or jointly with the commissioners of other counties as hereinafter provided, in a suitable place, not at or near a penal institution, a school for the instruction and training of children committed thereto as habitual truants, absentees or school offenders. The county commissioners of two or more counties may, at the expense of said counties, establish and maintain a union school which shall be organized and controlled by the chairmen of the county commissioners of said counties. The chairmen of the respective boards of county commissioners of the counties of Norfolk, Bristol and Plymouth, having the management of the Norfolk, Bristol and Plymouth union training school, shall each be paid the sum of one hundred dollars annually by said counties, respectively. The county commissioners of the counties of Barnstable, Berkshire, Franklin, Hampshire, Dukes County and Nantucket shall assign a training school established by law as the place for the instruction and training of children committed within their respective counties as habitual truants, absentees or school offenders, and shall pay for their support in said school such reasonable sum as the county commissioners having control of said school may determine. For the purposes of this chapter the parental school of the city of Boston shall be deemed the county training school of the county of Suffolk, and commitments from the towns of Revere and Winthrop and the city of Chelsea shall be to the training school for the county of Middlesex..

Establishment, etc., of training schools by counties.

The city or town from which an habitual truant, absentee or school offender is committed to a county training school

shall pay to the county within which it is situated one dollar a week toward his support, and reports of the condition and progress of its pupils in said school shall be sent each month to the superintendent of schools of such city or town; but the towns of Revere and Winthrop and the city of Chelsea shall pay to the county of Middlesex, for the support of each child committed to the training school of said county, two dollars and fifty cents a week, and such additional sums for each child as will cover the actual cost of maintenance.

R. L. 46, § 3, etc., amended.

Section 6. Section three of said chapter forty-six, as amended by chapter three hundred and thirty of the acts of the year nineteen hundred and three and by chapter two hundred and twenty of the acts of the year nineteen hundred and four, is hereby further amended by striking out the said section and inserting in place thereof the following: — *Section 3.* A child between seven and sixteen years of age who wilfully and habitually absents himself from school contrary to the provisions of section one of chapter forty-four of the Revised Laws, as amended, shall be deemed to be an habitual truant, and, unless placed on probation as provided in section seven of this chapter, may, upon complaint by an attendance officer and conviction thereof, be committed to a county training school.

Habitual truants, commitment, etc.

R. L. 46, § 4, etc., amended.

Section 7. Section four of said chapter forty-six, as amended by chapter three hundred and thirty of the acts of the year nineteen hundred and three and by chapter two hundred and twenty of the acts of the year nineteen hundred and four, is hereby further amended by striking out the said section and inserting in place thereof the following: — *Section 4.* A child between seven and sixteen years of age who may be found wandering about in the streets or public places of any city or town, having no lawful occupation, habitually not attending school and growing up in idleness and ignorance, shall be deemed to be an habitual absentee, and, unless placed on probation as provided in section seven of said chapter forty-six may, upon complaint by an attendance officer or any other person, and conviction thereof, be committed to a county training school.

Habitual absentees, commitment, etc.

R. L. 46, § 5, etc., amended.

Section 8. Section five of said chapter forty-six, as amended by chapter three hundred and thirty of the acts of the year nineteen hundred and three and by chapter two hundred and twenty of the acts of the year nineteen hundred and four, is hereby further amended by striking out the

said section and inserting in place thereof the following: —

Habitual school offenders, commitment, etc.

Section 5. A child under sixteen years of age who persistently violates the reasonable regulations of the school which he attends, or otherwise persistently misbehaves therein, so as to render himself a fit subject for exclusion therefrom, shall be deemed to be an habitual school offender, and, unless placed on probation as provided in section seven of said chapter forty-six may, upon complaint by an attendance officer and conviction thereof, be committed to a county training school.

R. L. 46, § 6, amended.

SECTION 9. Said chapter forty-six is hereby further amended by striking out section six and inserting in place

Support of inmates of truant schools.

thereof the following: — *Section 6.* The court or magistrate by whom a child has been committed to a county training school may make an order relative to the payment by his parents to the county of the cost of his support while in said school, and may from time to time revise and alter such order or make a new order as the circumstances of the parents may justify.

R. L. 46, § 8, etc., amended.

SECTION 10. Section eight of said chapter forty-six, as amended by section four of chapter two hundred and twenty of the acts of the year nineteen hundred and four, is hereby further amended by striking out the said section and inserting in place thereof the following: —

Permits to be at liberty may be issued in certain cases, etc.

Section 8. County commissioners, if they think it will be for the best interest of any child who has been committed to a county training school under their control, after notice and an opportunity to be heard has been given to the superintendent of schools, or, if there is no superintendent, to the school committee of the city or town from which such child was committed to said school, may permit him to be at liberty upon such conditions as said commissioners may deem best; or, with the approval of the court which imposed the sentence, they may discharge him from said school; and upon such parole or discharge they shall make an entry upon their records of the name of such child, the date of parole or discharge and the reason therefor; and a copy of such record shall be transmitted to the court or magistrate by whom such child was committed and to the school committee of the city or town from which he was committed.

Parole may be revoked, etc.

If such child, in the opinion of said commissioners, violates the conditions of his parole at any time previous to the expiration of the term for which he was committed to said school, such parole may be revoked. If a superintendent

of schools or a school committee furnishes evidence satisfactory to said commissioners of the violation by a child of the conditions of his parole, said commissioners shall revoke such parole, and may thereupon issue an order directed to the attendance or police officers of any city or town to arrest such child wherever found and return him to said school. Such officer shall arrest such child and return him to said school, where he shall be held, subject to the provisions of this chapter, for the residue of the term of the original sentence.

The expense of such arrest and return, so far as approved by the commissioners, shall be paid by the county or counties maintaining said school. A child who has been committed to a county training school, whether he be confined at the county training school or be on parole as provided in this section, shall be discharged from the custody and care of such school upon his becoming sixteen years of age. Releases from the parental school of the city of Boston shall be governed by the provisions of chapter five hundred and fourteen of the acts of the year eighteen hundred and ninety-six, and shall be made by the trustees for children who shall have and exercise the powers given by said chapter to the institutions commissioner of said city.

To be discharged at sixteen years of age.

Releases from parental school of Boston.

Section 11. Section ten of said chapter forty-six, as amended by section four of chapter three hundred and thirty of the acts of the year nineteen hundred and three, is hereby further amended by striking out the said section and inserting in place thereof the following: — *Section 10.* An inmate of a county training school or of the parental school of the city of Boston who persistently violates the reasonable regulations thereof, or is guilty of indecent or immoral conduct, or otherwise grossly misbehaves, so as to render himself an unfit subject for retention therein, may, upon complaint by the officer in control of said school and conviction thereof, if under fifteen years of age, be committed to the Lyman school for boys; if over fifteen years of age, to the industrial school at Shirley. If a girl who is committed to the custody of the state board of charity under sections three, four or five of this chapter, proves unmanageable in a private family, she may be committed, by the state board of charity, to the state industrial school for girls.

R. L. 46, § 10, etc., amended.

Disposition of vicious inmates.

Section 12. Said chapter forty-six is hereby further amended by striking out section thirteen and inserting in

R. L. 46, § 13, amended.

Duties of attendance officers.

place thereof the following: — *Section 13.* Attendance officers shall inquire into all cases arising under the provisions of sections one, two, three, four and six of chapter forty-four and sections three, four, five and eight of this chapter, or of sections sixty-one, sixty-two, sixty-three or sixty-six of chapter five hundred and fourteen of the acts of the year nineteen hundred and nine, and may make complaints and serve legal processes issued under the provisions of this chapter. They shall have oversight of children placed on probation under the provisions of section seven; of children suffering want to whom the provisions of chapter three hundred and fifty-six of the acts of the year nineteen hundred and four apply; of minors licensed by the school committee under the provisions of chapter four hundred and nineteen of the acts of the year nineteen hundred and ten, and subsequent amendments thereof; and of children admitted to or attending shows or entertainments contrary to the provisions of chapter five hundred and thirty-two of the acts of the year nineteen hundred and ten. An attendance officer may apprehend and take to school without a warrant any truant or absentee found wandering about in the streets or public places.

Truant officers to be hereafter known as attendance officers, etc.

SECTION 13. The officers hitherto known as truant officers shall hereafter be known as attendance officers, and all laws now or hereafter in force relative to truant officers shall apply to attendance officers.

1909, 514, § 56, amended.

SECTION 14. Chapter five hundred and fourteen of the acts of the year nineteen hundred and nine is hereby amended by striking out section fifty-six and inserting in

Employment of minors under fourteen.

place thereof the following: — *Section 56.* No child under fourteen years of age shall be employed or permitted to work in, about or in connection with any factory, workshop, manufacturing, mechanical or mercantile establishment. No child under fourteen years of age shall be employed at work performed for wages or other compensation, to whomsoever payable, during the hours when the public schools of the city or town in which he resides are in session, or be employed at work before seven o'clock in the morning or after six o'clock in the evening.

1909, 514, § 57, amended.

SECTION 15. Said chapter five hundred and fourteen is hereby further amended by striking out section fifty-seven and inserting in place thereof the following: — *Section 57.*

Employment of minors between the ages of fourteen and sixteen.

No child between fourteen and sixteen years of age shall be employed or be permitted to work in, about or in con-

nection with any factory, workshop, manufacturing, mechanical or mercantile establishment unless the person, firm or corporation employing such child procures and keeps on file accessible to the attendance officers of the city or town, to agents of the board of education, and to the state board of labor and industries or its authorized agents or inspectors, the employment certificate as hereinafter provided issued to such child, and keeps a complete list of the names and ages of all such children employed therein conspicuously posted near the principal entrance of the building in which such children are employed: *provided, however,* that children who are over fourteen but under sixteen years of age shall be permitted to work in mercantile establishments on Saturdays between the hours of seven in the morning and six in the evening, without such certificate. On termination of the employment of a child whose employment certificate is on file, said certificate shall be returned by the employer within two days after said termination to the office of the superintendent of schools from which it was issued.

Proviso.

Section 16. Section fifty-eight of said chapter five hundred and fourteen, as amended by chapter two hundred and sixty-nine of the acts of the year nineteen hundred and eleven, is hereby further amended by striking out the said section and inserting in place thereof the following: — *Section 58.* An employment certificate shall be issued only by the superintendent of schools or by a person authorized by him in writing, or, where there is no superintendent of schools, by a person authorized in writing by the school committee, of the city or town where the child to whom it is issued resides during his employment, or in case the child resides outside the commonwealth, of the city or town in which the child is to be employed: *provided,* that no member of a school committee or other person authorized as aforesaid shall have authority to issue such certificate for any child then in, or about to enter, such person's own employment or the employment of a firm or corporation of which he is a member, officer or employee.

1909, 514, § 58, etc., amended.

Employment certificates, issue, etc.

Proviso.

The person issuing employment certificates shall in each case, before issuing a certificate, receive, examine, approve and file the following papers, duly executed: —

Certain papers to be filed before certificate is issued.

(1) A pledge or promise signed by the employer or by an authorized manager or superintendent, setting forth the character of the employment, the number of hours per

day during which the child is to be regularly employed and the name and address of the employer, in which pledge or promise the employer agrees to employ the child in accordance with the provisions of this act, and to return the employment certificate as provided in section fifty-seven.

(2) The school record of such child, properly filled out and signed as hereinafter provided.

(3) A certificate signed by a school or family physician, or by a physician appointed by the school committee, stating that the child has been thoroughly examined by said physician and, in his opinion, is in sufficiently sound health and physically able to perform the work which the child intends to do.

(4) Evidence of age showing that the child is fourteen years of age, which shall consist of one of the following proofs of age:

(*a*) A birth certificate, or a duly attested transcript thereof, made by a registrar of vital statistics or other officer charged with the duty of recording births.

(*b*) A baptismal certificate, or a duly attested transcript thereof, showing the age and date of baptism of the child.

(*c*) In case none of the aforesaid proofs of age is obtainable, and only in such case, the person issuing employment certificates may accept in lieu thereof a passport or a duly attested immigration record, or transcript thereof, showing the age of the child, or other official or religious record of the child's age: *provided*, that it shall appear to the satisfaction of said person that the same is good and sufficient evidence of the child's age.

Proviso.

(*d*) In case none of the aforesaid proofs of age is obtainable, and only in such case, the person issuing employment certificates may accept in lieu thereof a record of age as given on the register of the school which the child first attended in the commonwealth: *provided*, that such record was kept for at least two years during the time when such child attended school.

Proviso.

(*e*) In case none of the aforesaid proofs of age is obtainable, and only in such case, the person issuing employment certificates may receive the signed statement of the school physician, or of the physician appointed by the school committee, stating that, after examination, it is the opinion of such physician that the child is at least fourteen years of age. Such physician's statement shall be accompanied

by a statement signed by the child's parent, guardian or custodian, or in case such child has no parent, guardian or custodian, the signed statement of the next adult friend. Such signed statement shall contain the name, date and place of birth and residence of the child, and shall certify that the parent, guardian, custodian or next friend signing the statement is unable to produce any of the proofs of age specified in this section. Such statement shall be signed in the presence of the person issuing employment certificates by the parent, guardian, custodian, or next friend. The person issuing employment certificates may, before issuing a certificate, require the parent, guardian, custodian, or next adult friend of the child to appear and approve in writing the issuance of said certificate.

Section 17. Said chapter five hundred and fourteen is hereby further amended by striking out section fifty-nine and inserting in place thereof the following: — *Section 59.* The school record required by section sixteen of this act shall be filled out and signed by the principal or teacher in charge of the school which the child last attended and shall be furnished only to a child who, after due examination and investigation, is found to be entitled thereto. Said school record shall state the grade last completed by such child and the studies pursued in completion thereof. It shall state the number of weeks during which such child has attended school during the twelve months next preceding the time of application for said school record. It shall also give the name, date of birth, and the residence of the child as shown on the records of the school and the name of the parent, guardian or custodian. In case it is found to be impossible to obtain said school record from the principal or teacher in charge of the school which such child last attended, the requirement of a school record may be waived.

1909, 514, § 59, amended.

School records.

No such school record shall be issued or accepted and no employment certificate shall be granted unless the child possesses the educational qualifications enumerated in section one of chapter forty-four of the Revised Laws as amended by section one of this act.

No such school record shall be issued or accepted unless the child has regularly attended the public schools or other lawfully approved schools for not less than one hundred and thirty days after becoming thirteen years of age: *provided, however,* that the school record may be accepted in the case

Proviso.

of a person who has been an attendant at a public day school or other lawfully approved school for a period of not less than seven years, if in the opinion of said superintendent such person is mentally incapable of acquiring the educational qualifications herein prescribed.

1909, 514, § 60, etc., amended.

SECTION 18. Section sixty of said chapter five hundred and fourteen, as amended by section four of chapter two hundred and fifty-seven of the acts of the year nineteen hundred and ten, is hereby further amended by striking out the said section and inserting in place thereof the following: — *Section 60.* The employment certificate required by this act shall state the name, sex, date and place of birth and the place of residence of the child and describe the color of the hair and eyes and any distinguishing facial marks of the child. It shall certify that the child named in such certificate has personally appeared before the person issuing the certificate and has been examined and found to possess the educational qualifications enumerated in section one of chapter forty-four of the Revised Laws, as amended by section one of this act, and that all the papers required by section fifty-eight have been duly examined, approved and filed and that all the conditions and requirements for issuing an employment certificate have been fulfilled. It shall state the grade last completed by said child. Every such certificate shall be signed in the presence of the person issuing the same by the child in whose name it is issued. It shall state the name of the employer for whom, and the nature of the employment in which, the certificate authorizes the child to be employed. It shall bear a number, show the date of its issue and shall be signed by the person issuing it. No fee shall be exacted for an employment certificate or for any of the papers required by this act. Duplicate employment certificates shall not be issued until it shall appear to the satisfaction of the person authorized to issue certificates that the original certificate has been lost. A record giving all the facts contained on every employment certificate issued shall be filed in the office issuing the same, together with the papers required by section fifty-eight as amended. A record shall also be kept of the names and addresses of all children to whom certificates have been refused, together with the names of the schools which said children should attend and the reasons for refusal. All the aforesaid records and papers shall be preserved until such

Employment certificate to contain certain information, etc.

Certain records to be kept, etc.

children, if living, shall have become sixteen years of age. Such records and statistics concerning the issuance of employment certificates as may be prescribed by the board of education shall be kept and shall be open to the inspection of said board, its officers or agents. The blank certificates and other papers required in connection with the issuing of employment certificates and educational certificates under this act shall be designed by and furnished to the local school committees by the state board of labor and industries after conference with the board of education, and the approval of the forms thereof by the attorney-general. Said certificates and papers may bear such further and explanatory matter as may be needed to facilitate the enforcement of this act or to comply with future legislative requirements.

Blank certificates, etc., to be furnished by state board of labor and industries, etc.

Section 19. Section sixty-one of said chapter five hundred and fourteen, as amended by chapter two hundred and forty-nine of the acts of the year nineteen hundred and ten, is hereby further amended by striking out the said section and inserting in place thereof the following: — *Section 61.* Whoever employs a person under the age of sixteen years, and whoever procures or, having under his control a person under sixteen years of age, permits such person to be employed in violation of the provisions of sections fifty-six or fifty-seven of this act, shall for each offence be punished by a fine of not less than ten dollars nor more than fifty dollars, or by imprisonment for not more than thirty days; and whoever continues to employ a person under sixteen years of age in violation of the provisions of either of said sections, after being notified thereof by a school attendance officer or by an inspector appointed by the state board of labor and industries, shall for every day thereafter while such employment continues be punished by a fine of not less than fifty nor more than two hundred dollars, or by imprisonment for not more than sixty days; and whoever forges, or procures to be forged, or assists in forging a certificate of birth or other evidence of the age of such person, and whoever presents or assists in presenting a forged certificate or evidence of birth to the superintendent of schools or to a person authorized by law to issue certificates, for the purpose of fraudulently obtaining the employment certificate required by this act, shall be punished by a fine of not less than ten nor more than five hundred dollars,

1909, 514, § 61, etc., amended.

Penalties for violation of law as to employment of children, etc.

or by imprisonment for not more than one year, or by both such fine and imprisonment. Whoever, being authorized to sign an employment certificate, knowingly certifies to any materially false statement therein shall be punished by a fine of not less than ten nor more than two hundred dollars.

1909, 514, § 62, amended.

SECTION 20. Said chapter five hundred and fourteen is hereby further amended by striking out section sixty-two and inserting in place thereof the following: — *Section 62.*

Attendance officers may visit factories, workshops, etc.

Attendance officers may visit the factories, workshops, manufacturing, mechanical and mercantile establishments, theatres, and places of public exhibition in their several cities and towns and ascertain whether any children are employed therein contrary to the provisions of this act and shall report in writing any cases of such illegal employment to the superintendent of schools or the school committee and to the state board of labor and industries or its authorized officers or agents.

Duties of inspectors.

Inspectors appointed by the state board of labor and industries shall visit all factories, workshops, manufacturing, mechanical and mercantile establishments within their respective districts, and ascertain whether any children are employed therein contrary to the provisions of this act, and shall enter complaint against whomever is found to have violated any of said provisions.

Penalty.

An inspector who knowingly or wilfully violates any provision of this section may be punished by a fine of not more than one hundred dollars.

1909, 514, § 63, amended.

SECTION 21. Said chapter five hundred and fourteen is hereby further amended by striking out section sixty-three and inserting in place thereof the following: — *Section 63.*

Arrest by attendance officers of minors unlawfully employed.

An attendance officer shall apprehend and take to school, without a warrant, any child under the age of twenty-one years who is employed in any factory, workshop, manufacturing, mechanical or mercantile establishment in violation of the provisions of this act, or who is employed in any theatre or place of public exhibition contrary to the provisions of this act, and such attendance officer shall forthwith report to the police, district or municipal court or trial justice within whose judicial district the illegal employment occurs, the evidence in his possession relating to the illegal employment of any child so apprehended, and shall make complaint against whomever the court or trial justice may direct.

Penalty.

An attendance officer who knowingly and wilfully violates

any provision of this section may be punished by a fine of not more than one hundred dollars for each offence.

1909, 514, § 64, amended.

Section 22. Said chapter five hundred and fourteen is hereby further amended by striking out section sixty-four and inserting in place thereof the following: — *Section 64.* Inspectors appointed by the state board of labor and industries, agents of the board of education and attendance officers may require that the employment or educational certificates and lists of children who are employed in factories, workshops, manufacturing, mechanical or mercantile establishments shall be produced for their inspection. A failure to produce to any person authorized by this section who requests the same an employment or educational certificate or list required by law shall be prima facie evidence of the illegal employment of any person whose certificate is not produced or whose name is not so listed. A corporation or other employer, or any agent or officer thereof, who retains an employment or educational certificate in violation of the provisions of this act shall be punished by a fine of not less than ten nor more than one hundred dollars.

Production of employment and educational certificates for inspection.

Effect of refusal.

Penalty.

1909, 514, § 66, amended.

Section 23. Said chapter five hundred and fourteen is hereby further amended by striking out section sixty-six and inserting in place thereof the following: — *Section 66.* No child who is over sixteen and under twenty-one years of age shall be employed in a factory, workshop, manufacturing, mechanical or mercantile establishment unless his employer procures and keeps on file an educational certificate showing the age of the child and his ability or inability to read and write as hereinafter provided. Such certificates shall be issued by the person authorized by this act to issue employment certificates.

Employment of minors over sixteen and under twenty-one years of age.

Educational certificates, issue, etc.

The person authorized to issue such educational certificates shall, so far as is practicable, require the proof of age stated in section fifty-eight. He shall examine the child and certify whether or not he possesses the educational qualifications enumerated in section one of chapter forty-four of the Revised Laws, as amended. Every such certificate shall be signed in the presence of the person issuing the same by the child in whose name it is issued.

Proof of age required, etc.

Every employer of such children shall keep their educational certificates accessible to any officer authorized to enforce the provisions of this act and shall return said certificates to the office from which they were issued within

Illiterate minors not to be employed unless attending evening school, etc.

two days after the date of the termination of the employment of said children. If the educational certificate of any child who is over sixteen and under twenty-one years of age fails to show that said child possesses the educational qualifications enumerated in section one of chapter forty-four of the Revised Laws, as amended, then no person shall employ such child while a public evening school is maintained in the city or town in which the child resides, unless such child is a regular attendant at such evening school or at a day school, and presents to his employer each week a school record of such attendance. When such record shows unexcused absences, such attendance shall be deemed to be irregular and insufficient. The person authorized to issue educational certificates, or teachers acting under his authority, may, however, excuse justifiable absence. Whoever employs a child in violation of the provisions of this section shall forfeit not more than one hundred dollars for each offence, to the use of the evening schools of such city or town. A parent, guardian or custodian who permits a child to be employed in violation of the provisions of this section shall forfeit not more than twenty dollars, to the use of the evening schools of such city or town.

Penalties.

Children not to be prevented from receiving manual training, etc.

Proviso.

SECTION 24. Nothing in this act shall be construed to prevent children of any age from receiving manual training or industrial education in, or in connection with, any school in this commonwealth: *provided*, that the same has been duly approved by the local school committee or by the board of education.

Repeal.

SECTION 25. Chapter three hundred and eighty-nine of the acts of the year nineteen hundred and six and chapter three hundred and ten of the acts of the year nineteen hundred and eleven and all acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

Time of taking effect.

SECTION 26. This act shall take effect on the first day of September, nineteen hundred and thirteen.

Approved June 13, 1913.

Chap. 780 AN ACT TO AUTHORIZE THE COUNTY OF DUKES COUNTY TO ACQUIRE LAND ADJACENT TO THE COURT HOUSE IN THE TOWN OF EDGARTOWN.

Be it enacted, etc., as follows:

County of Dukes County may purchase

SECTION 1. The county commissioners of the county of Dukes County are hereby authorized, in their discretion, to

purchase the parcel of land with the buildings thereon in the town of Edgartown which borders upon and is southeasterly of the court house in the said town and which contains seven thousand square feet, more or less. For this purpose the county commissioners may expend a sum not exceeding three thousand dollars and may issue notes or bonds of the county to that amount. Such notes or bonds shall be signed by the treasurer and countersigned by the county commissioners, shall be payable in annual sums of five hundred dollars, beginning one year after the issue of any such notes or bonds, until the whole loan is paid, and shall bear interest at a rate not exceeding four and one half per cent per annum. The county commissioners may dispose of the said notes or bonds at private sale or otherwise as they may determine to be for the best interest of the county, but such notes or bonds shall not be sold for less than their par value. The county commissioners may remove or cause to be removed any structures upon the said lot, if the same is acquired by them, and any sums received for such structures shall be used in paying for the said lot.

certain land in the town of Edgartown.

Section 2. This act shall be submitted to the voters of the county at a special election to be held in each town in the county at such time as the county commissioners, with the approval of the selectmen of the towns, respectively, may fix, and this act shall take effect upon its acceptance by a majority of the voters of the county voting thereon.

Act to be submitted to voters for acceptance.

Section 3. This act shall become void unless the said property is acquired by the county, as above provided, within two years after the passage of this act.

Act to become void unless, etc.

Approved June 13, 1913.

An Act making appropriations for salaries and expenses of the quartermaster general of the militia and for sundry armory expenses. *Chap.* 781

Be it enacted, etc., as follows:

Section 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, for the quartermaster general's department, for the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen, to wit: —

Appropriations, quartermaster general's department.

For the salary of the quartermaster general, a sum not exceeding twelve hundred dollars.

Quartermaster general.

For the salary of the superintendent of armories, eighteen hundred dollars.

Superintendent of armories.

Clerks. For the salaries of the clerks, seventy-eight hundred dollars.

Watchman at state arsenal. For the salary of the watchman at the state arsenal, eight hundred dollars.

Incidental expenses. For incidental and contingent expenses, a sum not exceeding six thousand dollars.

Quartermasters' supplies. For quartermasters' supplies, a sum not exceeding twenty-three thousand dollars.

Armories of first class. For maintenance of armories of the first class, a sum not exceeding ninety-five thousand dollars.

Armorers. For the salaries of armorers of the first class, a sum not exceeding fifty thousand dollars.

Armories of second class. For rent and maintenance of armories of the second class, a sum not exceeding eighty-six hundred and seventy-five dollars.

Armories of third class. For rent and maintenance of armories of the third class, a sum not exceeding eighty-two hundred and fifty dollars.

Batteries of artillery. For allowance to the three batteries of artillery of the volunteer militia, twenty-four hundred dollars.

Camp ground etc., at Framingham. For care and maintenance of the camp ground and buildings at Framingham, a sum not exceeding four thousand dollars.

SECTION 2. This act shall take effect upon its passage.

Approved June 13, 1913.

Chap. 782 AN ACT MAKING AN APPROPRIATION FOR DEFICIENCIES IN APPROPRIATIONS FOR CERTAIN EXPENSES AT THE PENIKESE HOSPITAL.

Be it enacted, etc., as follows:

Appropriation, Penikese hospital. SECTION 1. A sum not exceeding twelve hundred fifty-seven dollars and ninety-five cents is hereby appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, for certain expenses in excess of appropriations therefor at the Penikese hospital.

SECTION 2. This act shall take effect upon its passage.

Approved June 13, 1913.

Chap. 783 AN ACT TO AUTHORIZE THE TOWN OF SANDISFIELD TO REFUND CERTAIN INDEBTEDNESS.

Be it enacted, etc., as follows:

Town of Sandisfield may refund certain notes. SECTION 1. The town of Sandisfield, for the purpose of refunding three thousand four hundred and seventy dollars,

represented by demand notes, is hereby authorized to incur indebtedness to that amount and to issue notes of the town therefor. Notes issued under authority of this act shall be payable by such annual payments, beginning not more than one year after the date of the note first issued, as will extinguish the whole loan within ten years from the date of the note first issued, and the amount of such annual payments in any year shall not be less than the amount of the principal payable in any subsequent year. Said notes shall bear interest at a rate not exceeding five per cent per annum, payable semi-annually, and the amount required to pay the interest and principal maturing each year shall be raised by taxation and shall, without further action by the town, be assessed annually by the assessors in the same manner in which other taxes are assessed, until the whole debt is extinguished.

Duties of town treasurer.

Section 2. The treasurer of the town of Sandisfield, with the approval of the selectmen, is hereby authorized to incur indebtedness in behalf of the town under the provisions of this act and to issue notes of the town therefor.

Section 3. This act shall take effect upon its passage.

Approved June 13, 1913.

An Act to change the name, enlarge the membership and increase the powers of the board of railroad commissioners. *Chap.* 784

Be it enacted, etc., as follows:

Board of railroad commissioners, name changed to public service commission and membership enlarged.

Section 1. The board of railroad commissioners, existing under authority of section one of Part I of chapter four hundred and sixty-three of the acts of the year nineteen hundred and six, shall hereafter be called the public service commission, hereinafter in this act called the commission, and its membership shall be enlarged so as to consist of five competent persons, hereinafter collectively called commissioners and individually referred to as commissioner, with the qualifications and disabilities in said act and this act prescribed. Upon the taking effect of this act the governor, with the advice and consent of the council, shall appoint two members in addition to the members of the board at that time and shall, notwithstanding the term for which any member of the board may have been heretofore appointed and the date of the expiration thereof, designate

the terms of all of said members so that one member shall be appointed for five years, one for four years, one for three years, one for two years, and one for one year from the first day of July next. Thereafter, one member of the commission shall annually, before the first day of July, be appointed by the governor, with the advice and consent of the council, for a term of five years from said date. Whenever a new appointment is made, or whenever any vacancy in the commission is filled, the commissioners shall meet and choose one of their number as chairman. The chairman shall be paid an annual salary of eighty-five hundred dollars, and each of the other commissioners shall receive an annual salary of eight thousand dollars. Not more than three commissioners shall be appointed from the same political party.

Compensation.

Duties of the commission.

SECTION 2. The commission shall, so far as may be necessary for the purpose of carrying out the provisions of this or any other act, have general supervision and regulation of, and jurisdiction and control over, the following services, when furnished or rendered for public use within the commonwealth, and all persons, firms, corporations, associations and joint stock associations or companies, hereinafter in this act collectively called common carriers and severally called a common carrier, furnishing or rendering any such service or services: —

a. The transportation or carriage of persons or property, or both, between points within the commonwealth by railroads, street railways, hereinafter called railways, electric railroads, and steamships, including express service and car service carried on upon or rendered in connection with such railroads, railways, electric railroads or steamships.

b. The operation of all conveniences, appliances, facilities or equipment utilized in connection with, or appertaining to, such transportation or carriage of persons or property or such express service or car service, by whomsoever owned or by whomsoever provided, whether the service be common carriage or merely in facilitation of common carriage.

c. The transmission of intelligence within the commonwealth by electricity, by means of telephone lines or telegraph lines or any other method or system of communication, including the operation of all conveniences, appliances, instrumentalities, or equipment utilized in connection therewith or appertaining thereto.

R. L. 109, §§ 24 and 27, amended.

Section 3. Sections twenty-four and twenty-seven of chapter one hundred and nine of the Revised Laws are hereby amended by substituting for the words "commissioner of corporations", and for any other word or words intended to designate said commissioner of corporations in each of said sections, whenever any jurisdiction is conferred with respect to corporations established for and engaged in the business of transmitting intelligence by electricity, the words: — public service commission. Chapter four hundred and thirty-three of the acts of the year nineteen hundred and six is hereby amended by substituting in place of the words "Massachusetts highway commission", and any other word or words intended to designate the Massachusetts highway commission wherever used in said act, the words: — public service commission, — and said act is further amended by repealing section three thereof. Nothing in this act shall affect the compensation at present paid to the members of the Massachusetts highway commission.

1906, 433, amended.

Not to affect compensation of Massachusetts highway commission.

Any investigation, etc., begun by Massachusetts highway commission to be continued, etc., by public service commission.

Section 4. Any investigation, examination, proceeding or appeal undertaken, begun or instituted by or before the Massachusetts highway commission in connection with the supervision of companies engaged in the transmission of intelligence by electricity prior to the taking effect of this act, may be conducted and continued to a final termination by the public service commission, in the same manner, under the same terms and conditions, and with the same effect as though the jurisdiction of the Massachusetts highway commission over such matters had not been terminated; but no order or ruling heretofore made by said last mentioned commission and then in force shall be invalidated by the taking effect of this act. This act shall not affect pending actions or proceedings, civil or criminal, brought by or against the Massachusetts highway commission; but the same may be prosecuted or defended in the name of the public service commission: *provided*, that the subject-matter thereof is within the statutory jurisdiction of said public service commission. And this act shall not release or waive any right or penalty which may have arisen or may have been incurred, nor shall any right or penalty created or enforceable under this act be a bar to or affect any recovery or indictment for such right or such penalty.

Pending proceedings not affected, etc.

Proviso.

Massachusetts highway commission

Section 5. Upon the taking effect of this act the Massachusetts highway commission shall transfer and deliver

to transfer, etc., certain records, etc., to public service commission.

to the commission all books, maps, papers, files and records in its possession relating to the supervision of all companies engaged in the transmission of intelligence by electricity, and the commission is hereby authorized to take possession of all such books, maps, papers, files and records. Upon the taking effect of this act every officer or employee subordinate to or under the control of or connected with the Massachusetts highway commission whose sole duty or exclusive employment relates to or has reference to the supervision of companies engaged in the transmission of intelligence by electricity shall become subordinate to or be transferred to the control of the commission in the same manner as if he were appointed under section nine of this act.

Certain employees to be transferred, etc.

Quorum.

Section 6. Three members of the commission shall constitute a quorum. No contested matter upon which a public hearing by said commission is required by law shall be heard or decided by less than a quorum of the commission. So much of section six of chapter seven hundred and fifty-five of the acts of the year nineteen hundred and eleven as authorizes a hearing upon a contested matter to be held before one commissioner and an order in any such matter made by one commissioner to be confirmed by the commission with the same effect as an order of the commission, is hereby repealed.

Repeal.

Records and official seal.

Section 7. Every vote, recommendation and order of the commission shall be entered of record; and the commission shall have an official seal, which shall be judicially noticed. Copies of all official documents and orders filed or deposited in the office of the commission, certified by a member of the commission, or by the secretary, to be true copies of the originals, under the official seal of the commission, shall be evidence in like manner as the originals in all courts of the commonwealth; and the commission may charge and collect for such copies ten cents for each folio. The fees so collected shall be paid into the treasury of the commonwealth.

Certified copies to be evidence, etc.

Fees.

Expenses.

Section 8. The commission may expend for the salaries and expenses authorized hereby and by other provisions of law, such amount as the general court shall annually appropriate. Sections three and four of Part I of chapter four hundred and sixty-three of the acts of the year nineteen hundred and six are hereby repealed.

Repeal.

Section 9. The commission may appoint a counsel to the commission, and such attorneys as it may deem advisable, for such terms of office or employment and at such salaries as it may deem proper, who shall in the conduct of litigation and court proceedings act under the direction of the attorney-general. The commission may appoint or employ such engineers, accountants, statisticians, bureau chiefs and division heads, assistants, inspectors, clerks, and other subordinates as it may deem advisable, on such terms of office or employment and at such salaries as it may deem proper. The commission may expend such sums to procure opinions, advice, plans, surveys, appraisals, audits, examinations, statistics, information, apparatus, instruments, books, tables, maps, drawings, supplies and sundries, and for travel within or without the commonwealth and expense incidental thereto as it may from time to time deem requisite in the performance of its duties. The commission may, from any appropriations authorized by the general court for the use of the commission, expend such sums as it deems necessary in the performance of its duties under the provisions of this act. The provisions of chapter two hundred and forty-five of the acts of the year nineteen hundred and seven, relative to experts and inspectors of the commission, shall apply to the appointment, employment or continuance in office of any officer or employee of the commission whose salary or compensation is in excess of twelve hundred dollars per annum. The commission may assign to all officers and employees by it appointed or employed such functions and such rank as it shall from time to time deem advisable; but everything done by any such officer or employee shall be subject to the control of, and revision by, the commission. The commission may from time to time cause to be made a compilation of the statutes of this commonwealth relating to common carriers, with annotations.

Counsel, appointment, etc.

Appointment of subordinates.

Expenses for travel, etc.

Experts and inspectors.

Compensation.

Compilation of statutes relating to common carriers.

Section 10. The commission may inquire into the rates, charges, regulations, practices, equipment and services of common carriers in this commonwealth, and elsewhere, rendering any service of a kind subject to its jurisdiction. It may be represented at any public hearings before any legislative committee or public board in this commonwealth, or of any other state or of the United States, with respect to any proposed legislation or action by public authorities within or without the commonwealth affecting any public

Rates, etc., of common carriers.

service within the commonwealth subject to its supervision, whenever in its opinion such representation is desirable in the interests of this commonwealth. It may apply by petition to the interstate commerce commission for relief, and may present evidence and arguments to the said commission, in any case in which it is of opinion that a common carrier subject to its supervision is violating any provision of the interstate commerce law or any valid order or regulation made under authority thereof. The commission may also confer with or appear before boards of other states having powers over any of the common carriers rendering public services of the kind hereinbefore described, when in its judgment the interests of the commonwealth will be promoted thereby.

Commission may petition interstate commerce commission.

May confer, etc., with boards of other states.

To examine books, etc., of common carriers.

Annual audit.

Penalty.

SECTION 11. The commission may, either through its members or by employees duly authorized by it, examine all books, contracts, records, documents, papers and memoranda of any common carrier, and by subpœna duces tecum compel the production thereof, or of duly verified copies of the same or any of them, and compel the attendance of such witnesses as the commission may require to give evidence at any such examination. The commission may provide for an annual audit by employees duly authorized by it of all the accounts of any common carrier or class of common carriers, whenever it deems such action advisable. Any employee or agent of the commission who divulges any fact or information which may come to his knowledge during the course of any such examination or audit, except in so far as he may be directed by the commission, or by a court or judge, or be authorized by law, shall be guilty of a misdemeanor, and shall be punished by a fine of not more than one thousand dollars.

Forms of accounts.

SECTION 12. The commission may from time to time establish and prescribe a system of forms of accounts to be used by the common carriers subject to its supervision, or may classify the said common carriers and prescribe a system of forms of accounts for each class. The accounts of all such common carriers shall be kept in accordance with the forms prescribed. The commission may also in its discretion prescribe the forms of records and memoranda to be kept by such common carriers. The forms of accounts established by the commission and the forms of records and memoranda prescribed by it shall conform as nearly as may

be to the similar forms from time to time established and prescribed by the interstate commerce commission.

Inspection of property, etc.

Section 13. The commission may, either through its members or responsible agents, engineers, inspectors or examiners duly authorized by it, enter upon any premises occupied by any common carrier for any purpose consistent with the provisions of this act. It may inspect the property, equipment, buildings, plants, factories, power houses, ducts, conduits and offices of any common carrier. It shall have the right in connection with such inspection by its members, inspectors or experts to have such service, of the sort proffered by the common carrier, performed for it as it may reasonably require, including the right to ride upon any locomotive, car or steamship while in service, and to have, upon reasonable notice, the use of an inspection locomotive or car whenever that is necessary in the opinion of the commission, for a physical inspection of all or any of the lines and stations of any railroad or railway under its supervision.

Valuation, etc.

Section 14. The commission may investigate and determine the fair value for any purpose of all the property of any common carrier rendering a public service subject to the supervision of the commission, which is actually used or useful for the convenience of the public, whenever it deems the ascertainment of such value necessary in order to carry into effect any provision of this act. The commission may at any time on its own initiative make a revaluation of such property. In making any valuation under this section, the commission may have access to and use any books, documents or records in the possession of any department or board of the commonwealth or any political subdivision thereof.

Issue of stock, bonds, notes or other evidences of indebtedness by railroads.

Section 15. A railroad corporation may issue shares of capital stock, bonds, notes or other evidences of indebtedness, for the purpose of funding its floating debt, or for any other lawful purpose, and may mortgage or pledge as security for the payment of such indebtedness a part or all of its railroad, equipment and franchise and a part or all of its real and personal property, including property to be afterward acquired. Any mortgage executed by a railroad company shall secure all bonds, notes and other evidences of indebtedness previously issued and then outstanding on equal terms with any other indebtedness secured by such

Amount of issue.

mortgage. Its bonds, notes or other evidences of indebtedness may be issued by any such corporation to an amount which, when added to the amount of all its then outstanding bonds, notes or other evidences of indebtedness, shall not cause the aggregate amount of all its bonds, notes and other evidences of indebtedness to exceed twice the amount of the capital stock of the corporation actually paid in at the time, as determined under the provisions of chapter six hundred and twenty of the acts of the year nineteen hundred and eight; but such of the bonds issued or to be issued under a mortgage as are deposited to retire at or before maturity, bonds or other evidences of indebtedness previously issued and outstanding at the date of such mortgage while so deposited shall not be taken into account in applying this limitation. No bonds, coupon notes, or other evidences of indebtedness payable at periods of more than twelve months from the date thereof shall be issued unless authorized by a vote of the stockholders at a meeting called for the purpose, and no such bond, coupon note or other evidence of indebtedness shall be issued unless countersigned or certified by a person or trust company appointed by the corporation for that purpose.

Proposed issue to be authorized by vote.

Application for approval of issue of capital stock, bonds, etc.

SECTION 16. Before any railroad corporation shall issue any shares of capital stock or any bonds, notes or other evidences of indebtedness payable at periods of more than twelve months after the date thereof, it shall apply to the commission for its approval of the proposed issue to such amount as the commission shall determine to be reasonable and proper for the purpose of funding its floating debt properly incurred for lawful purposes, or reasonable and proper for any other lawful purpose set forth in the application for such approval. The commission shall render its decision upon such an application within thirty days after the final hearing thereon. The decision shall be in writing and shall assign the reasons therefor. Any order of the commission approving any such issue of stock, bonds, notes or other evidences of indebtedness may provide for the application of the proceeds thereof to such particular uses as the commission shall by that order or by some subsequent order specify, and the corporation shall not apply such proceeds otherwise than as thus specified in such order or orders. The decision of the commission as to the amount of stock which is reasonably necessary for the purpose for which

Decision.

such stock is proposed to be issued shall be based upon the price at which such stock is to be issued, and the commission shall refuse to approve any particular issue of stock, if, in its opinion, the price at which it is proposed to be issued is so low as to be inconsistent with the public interest. The provisions of this section shall not require a railroad corporation which is incorporated under the laws of one or more other states or foreign countries, as well as under the laws of this commonwealth, to apply to the commission for approval of the issue of shares of capital stock or of bonds, notes or other evidences of indebtedness for the sole ultimate purpose of providing funds for additions to or improvements of property of such corporation or of any corporation controlled by it through lease or stock ownership, if such property has a situs in another state or country by the laws of which such railroad corporation is authorized to operate a railroad therein and to make such additions to or improvements of such property, nor to apply to the commission for approval of the issue of shares of capital stock, bonds, notes or other evidences of indebtedness for paying, funding or refunding indebtedness incurred for such ultimate purpose; but all such proposed issues and the authority therefor shall, before the issue of such securities, be reported to the commission. Except for such ultimate purpose, such a railroad corporation shall not hereafter without the approval of the commission issue any shares of capital stock, or any bonds, notes or other evidences of indebtedness payable at periods of more than twelve months after the date thereof, in exchange for or to pay for shares of capital stock, notes, bonds or other evidences of indebtedness of any other corporation which are hereafter acquired or contracted for; but if the acquisition or holding of such securities by such railroad corporation shall be authorized by the laws of any state or country in which it has been incorporated, and shall also be permitted by the laws of the state or country in which such other corporation has been incorporated, the commission may authorize the acquisition of such securities by such railroad corporation, and may approve the issue of shares of capital stock, bonds, notes or other evidences of indebtedness by such railroad corporation in exchange for or to pay for such securities, provided that the commission shall find that such acquisition and the terms thereof are consistent with the public interest. The supreme judicial court or

Provisions not to apply to certain railroads.

Proposed issues to be reported to commission.

Enforcement of provisions of law.

the superior court shall have jurisdiction in equity, upon the application of the commission, of the attorney-general, of any stockholder or of any interested party, to enforce the provisions of this and the preceding section and all lawful orders and decisions, conditions or requirements of said commission made in pursuance thereof. A director, treasurer or other officer or agent of a railroad corporation, who knowingly votes to authorize the issue of, or knowingly signs, certifies or issues stock or bonds contrary to the provisions of this or the preceding section, or who knowingly votes to authorize the application, or knowingly applies the proceeds of such stock or bonds contrary to the provisions of said sections or either of them, or who knowingly votes to assume or incur, or knowingly assumes or incurs in the name or behalf of such corporation, any debt or liability except for the legitimate purposes of the corporation, shall be punished by a fine of not more than one thousand dollars, or by imprisonment for not more than one year, or by both such fine and imprisonment. Sections fifty and sixty-five of Part II of chapter four hundred and sixty-three of the acts of the year nineteen hundred and six, sections forty-eight and sixty-six of Part II of the same act, as amended by sections four and five of Part II of chapter seven hundred and twenty-five of the acts of the year nineteen hundred and twelve, and all other acts and parts of acts inconsistent with this or the preceding section, so far as they apply to railroad corporations, are hereby repealed.

Penalty.

Repeal.

Charges for service regulated.

SECTION 17. All charges made, demanded or received by any common carrier subject to the supervision of the commission for any service rendered or performed, or to be rendered or performed by it or in connection therewith in the conduct of its common carrier business, or made, demanded or received by any two or more common carriers joining in rendering or performing any service shall be just and reasonable, and every such common carrier and any two or more such common carriers joining in rendering or performing any service shall be entitled to make, demand and receive just and reasonable charges for any such service, and every unjust or unreasonable charge is hereby prohibited and declared unlawful; but charges heretofore established and set out in any schedule filed as hereinafter provided shall be deemed prima facie lawful until changed or modified by the commission under the powers conferred upon the

commission by the provisions of this act, but this provision shall not give to such rates any greater weight as evidence of the reasonableness of other rates than they would otherwise have.

Free service, tickets, etc., prohibited, except, etc.

Section 18. No common carrier shall, directly or indirectly, issue or give any free service, free tickets, free pass or free transportation for passengers or property between points within this commonwealth; but nothing in this act shall be held to prohibit any railroad corporation from furnishing free passes or free transportation to officers or employees of the general court; nor to prohibit any railroad corporation or street railway company from giving free or reduced rate service to policemen, letter carriers and firemen while in uniform or engaged in the discharge of their duties; nor to prohibit any common carrier from giving free or reduced rate service to its employees, or in cases of public emergency, or for such charitable purposes as may be approved by the commission; nor to prohibit any telephone or telegraph company, unless the commission shall otherwise order, from giving service at reduced rates to the commonwealth or to any city or town; nor shall this act be held to prohibit the commissioners, their experts, inspectors and counsel from being transported over the railroads and the railways of this commonwealth free of charge while engaged in the performance of their duties; nor shall this act be held to prohibit the giving by any such common carrier of free or reduced rate service to the classes defined and provided for in the act of congress entitled "An act to regulate commerce" and acts amendatory thereof.

Fixing of rates, charges, etc., subject to commission's approval.

Section 19. Subject to the powers of the commission to regulate and prescribe rates and charges, a common carrier may make commodity, transit, or other classes of rates. The furnishing by any common carrier of any service at the rates and upon the terms and conditions provided for in any existing contract executed prior to the first day of July, nineteen hundred and thirteen, shall not constitute a discrimination unless the commission shall so determine. The commission shall not be prevented from taking such action as it may deem proper by any commitment or agreement of a common carrier entered into by reason of any requirement or recommendation of any board or public officers acting under delegated authority from the general court prior to the enactment hereof. Unless the commission

Issue of mileage and other tickets.

shall determine otherwise common carriers shall be permitted, whether required to do so by law or not, to issue mileage, workingmen's, excursion, school, or commutation passenger tickets, or reduced rate tickets for the transportation of children under twelve years of age, or of pupils attending schools, or joint interchangeable mileage tickets, with special privileges as to the amount of free baggage that may be carried under mileage tickets of five hundred miles or more. All season tickets, before issuance, shall be subject to the approval of the commission as to the form thereof and the conditions named therein.

Season tickets.

Schedules of rates, etc., to be filed, etc.

Section 20. Every common carrier shall file with the commission and shall plainly print and keep open to public inspection, schedules showing all rates, joint rates, fares, telephone rentals, tolls, classifications and charges for any service, of every kind rendered or furnished, or to be rendered or furnished, by it within the commonwealth, and all conditions and limitations, rules and regulations and forms of contracts or agreements in any manner affecting the same, in such places, within such time, and in such form, and with such detail as the commission may order. In the case of common carriers the forms prescribed for such schedules and the requirements relative to the filing and publication thereof shall conform, as nearly as may be, to the forms prescribed by and the similar requirements of the interstate commerce commission. No common carrier shall, except as otherwise provided in this act, charge, demand, exact, receive, or collect a different rate, joint rate, fare, telephone rental, toll or charge for any service rendered or furnished by it, or to be rendered or furnished, from that applicable to such service as specified in its schedule filed with the commission and in effect at the time. Nor shall any common carrier refund, or remit directly or indirectly, any rate, joint rate, fare, telephone rental, toll or charge so specified, or any part thereof, nor extend to any person or corporation any rule, regulation, privilege or facility except such as are specified in the said schedule and regularly and uniformly extended to all persons and corporations under like circumstances for the like, or substantially similar, service. Unless the commission otherwise orders, no change shall be made in any rate, joint rate, fare, telephone rental, toll, classification or charge, or in any rule or regulation or form of contract or agreement in any manner affecting the same as

Forms for schedules.

Charges, etc., regulated.

Refunds, etc.

Thirty days' notice of change in rates, etc.

shown upon the schedules filed in accordance with this act, except after thirty days' notice to the commission, which notice shall plainly state the changes proposed to be made in the schedule then in force and the time when such changes shall take effect, and such notice to the public as the commission shall order, to be given prior to the time, fixed in such notice to the commission, for the changes to take effect. The commission for good cause shown may allow changes without requiring the thirty days' notice, under such conditions as it may prescribe, and may suspend the taking effect of changes under the circumstances and in the manner hereinafter provided. At the time when any changes take effect, they shall be plainly indicated upon existing schedules, or new schedules shall be printed and filed, as the commission may order. Nothing in this act shall be construed to prevent any telegraph or telephone corporation from continuing to furnish the use of its lines, equipment or service under any contract or contracts in force at the date when this act takes effect, or upon the taking effect of any schedule or schedules of rates subsequently filed with the commission, as hereinafter provided, at the rate or rates fixed in such contract or contracts: *provided, however,* that when any such contract or contracts are or become terminable by notice, the commission shall have power in its discretion to direct by order that such contract or contracts shall be terminated by the telegraph or telephone corporation party thereto, and thereupon such contract or contracts shall be terminated by such telegraph or telephone corporation as and when directed by such order.

Waiver of notice.

Certain existing contracts not affected.

Proviso.

Section 21. Whenever the commission receives notice of any change or changes proposed to be made in any schedule filed under the provisions of this act, it shall have power, either upon complaint or upon its own motion, and after notice, to hold a public hearing and make investigation as to the propriety of such proposed change or changes. Pending any such investigation and the decision thereon, the commission shall have power, by any order served upon the common carrier affected, to suspend the taking effect of such change or changes, but not for a longer period than six months beyond the time when such change or changes would otherwise take effect. After such hearing and investigation, the commission may make such order in reference to any new rate, joint rate, fare, telephone rental, toll, classifi-

Public hearings on proposed changes in rates, etc.

Decision on new rates, etc.

cation, charge, rule, regulation or form of contract or agreement proposed, as would be proper in a proceeding initiated after the same has taken effect. At any such hearing involving any proposed increase in any rate, joint rate, fare, telephone rental, toll or charge, the burden of proof to show that such increase is necessary in order to obtain a reasonable compensation for the service rendered shall be upon the common carrier. If at a hearing involving any proposed decrease in any rate, joint rate, fare, telephone rental, toll or charge demanded by any common carrier, it shall appear to the commission that the said rate, joint rate, fare, telephone rental, toll or charge is insufficient to yield reasonable compensation for the service rendered, the commission shall have power to determine what will be the just and reasonable rate or rates, fare or fares, telephone rental or rentals, toll or tolls, charge or charges, to be thereafter observed in such case as the minimum to be charged, and to make an order that the common carrier complained of shall not thereafter demand, charge or collect any rate, fare, telephone rental, toll, or charge lower than the minimum so prescribed without first obtaining the consent of the commission, not to be given without a public hearing.

Hearings upon rates, fares, etc.

Section 22. Whenever the commission shall be of opinion, after a hearing had upon its own motion or upon complaint, that the rates, fares or charges or any of them demanded, exacted, charged or collected by any common carrier now or hereafter subject to its jurisdiction, for any services to be performed within the commonwealth, or the regulations or practices of such common carrier affecting such rates, are unjust, unreasonable, unjustly discriminatory or unduly preferential or in any wise in violation of any provision of law, or that the rates, fares or charges or any of them chargeable by any such common carrier are insufficient to yield reasonable compensation for the service rendered and are unjust and unreasonable, the commission shall determine the just and reasonable rates, fares and charges to be charged for the service to be performed, and shall fix the same by order to be served upon every common carrier by whom such rates, fares and charges or any of them are thereafter to be observed. It shall be the duty of every such common carrier to observe and obey every requirement of every such order so served upon it, and to do everything necessary or proper in order to secure absolute compliance with and observance of every such order by all its officers, agents and

Orders of commission to be obeyed, etc.

employees. The commission may, after investigation, authorize a common carrier in special cases to charge less for longer than for shorter distances for the transportation of passengers or property, whenever in the opinion of the commission such authorization is consistent with the public interests, and the commission may from time to time modify or revoke such authorization.

Hearings upon service, etc.

Section 23. Whenever the commission shall be of opinion, after a hearing had upon its own motion or upon complaint, that the regulations, practices, equipment, appliances or service of any common carrier, now or hereafter subject to its jurisdiction, are unjust, unreasonable, unsafe, improper or inadequate, the commission shall determine the just, reasonable, safe, adequate and proper regulations and practices, thereafter to be in force and to be observed, and the equipment, appliances and service thereafter to be used and shall fix and prescribe the same by order to be served upon every common carrier to be bound thereby. The commission shall have power after such a hearing to order from time to time that a railroad company shall operate its lines, of standard gauge, or such parts thereof as the commission shall prescribe, by electric power instead of by steam power, and in its order shall prescribe the time within which the work of electrification shall be done. Before making such order, the commission shall consider the relative importance and necessity of the changes in any specific regulations, practices, equipment and appliances proposed to be included therein and of other changes which may be brought to its attention in the course of the hearing, the financial ability of the carrier to comply with the requirements of the order, and the effect of the carrier's compliance therewith, upon its financial ability to make such other changes, if any, as may be deemed by the commission of equal or greater importance and necessity in the performance of the service which the carrier has professed to render to the public. It shall be the duty of every such common carrier to observe and obey every requirement of every such order so served upon it, and to do everything necessary or proper in order to secure absolute compliance with and observance of every such order by all its officers, agents and employees.

Orders of commission to be obeyed, etc.

Hearings upon a train crew.

Section 24. Whenever the commission shall be of opinion, after a hearing had upon its own motion or upon complaint, that the number of men forming a train crew of any train

operating in the commonwealth is not sufficient to operate said train for the safety of the public and the employees of the railroad, it shall thereupon order such changes as it may deem necessary.

Establishment of through routes, joint rates, etc., for passengers or freight.

Section 25. Wherever there is no satisfactory through route for the transportation of passengers or freight at a reasonable rate the commission shall have power by order, after notice and a public hearing had upon complaint, to require any two or more railroad or railway companies whose lines, owned, operated, leased, or controlled by stock ownership, or otherwise, form a continuous or connecting line of transportation, or could be made to do so by the construction and maintenance of switch connection or interchange track at connecting points, or by transfer of property or passengers at connecting points, to establish through routes and joint rates, fares and charges for the transportation of passengers and property, and for the operation of the cars and other equipment for such transportation, within the commonwealth, as the commission may by its order designate; and, in case such companies cannot agree as to the division of rates or the conditions under which such through routes or transportation shall be established or such cars or other equipment operated, the commission shall have power, after due hearing, to determine and prescribe the proportionate portions of such through rates payable to each of such companies, the conditions under which such through routes or transportation shall be established or such cars or other equipment operated, and, in case of railways, to grant locations upon which the grantee company may construct the switch connection or interchange track necessary to the establishment of such through routes or transportation, or to the operation of such cars or other equipment: *provided, however*, that a railroad or railway company shall have control of and responsibility for the management and operation of all trains or cars while they are upon its railroad or railway as fully as if it owned them. The commission may, upon reasonable terms and conditions, require and order any railroad or railway company which carries freight in carload lots to establish and maintain for the purpose of receiving or delivering freight in carload lots, a switch connection with any private side track constructed on land adjoining the location of any such railroad or railway, if the commission is of opinion that such connection is reason-

Proviso.

Switch connection for freight in carload lots.

able and practicable, can be put in and used with safety, and will furnish sufficient business to justify its construction and maintenance, and the commission may grant to any railway company the necessary locations in public ways and places for any switch connection ordered by the commission to be constructed by such railway company.

Orders of commission, how served.

Section 26. Every order of the commission shall be served upon every person or corporation to be affected thereby, either by personal delivery of a certified copy thereof, or by mailing a certified copy thereof, in a sealed package with postage prepaid, to the person to be affected thereby or, in the case of a corporation, to any officer or agent thereof upon whom a summons may be served under the laws of this commonwealth. It shall be the duty of every person and corporation to notify the commission forthwith, in writing, of the receipt of the certified copy of every order so served, and in the case of a corporation such notification shall be signed and acknowledged by a person or officer duly authorized by the corporation to admit such service. Within a time specified in the order of the commission every person and corporation upon whom it is served shall, if so required in the order, notify the commission in like manner whether the terms of the order are accepted and will be obeyed. Every order of the commission shall take effect at a time therein specified and shall continue in force either for a period which may be designated therein or until changed or abrogated by the commission.

Acknowledgment of receipt of orders.

Acceptance, etc.

Procedure to review rulings, etc., of commission by the court.

Section 27. The supreme judicial court shall have jurisdiction in equity to review, annul, modify or amend any rulings or orders of the commission which are unlawful to the extent only of such unlawfulness. The procedure before the said court shall be that prescribed by its rules, which shall state upon what terms the enforcement of the order shall be stayed. The attorney for any party petitioning the supreme judicial court hereunder shall file with the clerk of the court a certificate that he is of opinion that there is such probable ground for the appeal as to make it a fit subject for judicial inquiry, and that it is not intended for delay; and double costs shall be assessed by the court upon any such party whose petition shall appear to the court not to be a fit subject for judicial inquiry or shall appear to be intended for delay. The burden of proof shall be upon the party adverse to the commission to show

Costs.

Preference over other civil proceedings, except election cases.

that its order is invalid. Any proceeding in any court of this commonwealth directly affecting an order of the commission or to which the commission is a party shall have preference over all other civil proceedings pending in such court, except election cases.

Enforcement of orders by the court.

SECTION 28. The supreme judicial court shall have jurisdiction upon the application of the commission to enforce all valid orders of the commission and all the provisions of this act. Whenever the commission shall be of opinion that a common carrier subject to its supervision is failing or omitting or about to fail or omit to do anything required of it by law or by order of the commission, or is doing anything or about to do anything or permitting anything or about to permit anything to be done, contrary to or in violation of the law or of any order of the commission, it shall direct counsel to the commission to begin, subject to the supervision of the attorney-general, an action or proceeding in the supreme judicial court in the name of the commission for the purpose of having such violations or threatened violations stopped and prevented either by mandamus or injunctions.

Act, how construed.

SECTION 29. This act shall be deemed and construed as a remedial act and in enlargement and extension of all previous acts and existing laws conferring upon or vesting in the commission any jurisdiction, powers or discretion with respect to any subject or matter treated in this act.

Repeal.

Except as above provided all acts and parts of acts inconsistent with any provision of this act, and all acts and parts of acts which would in any way limit or prevent the exercise to the fullest extent of any of the jurisdiction, powers, authority or discretion delegated herein to the commission are

Proviso.

hereby repealed: *provided*, that nothing herein contained shall be construed to repeal, directly or by implication, the provisions of chapter five hundred of the acts of the year eighteen hundred and ninety-seven, or to authorize the commission to make any order or take any action inconsistent with the provisions of said act or with any rights which have been acquired by any common carrier under any statute prior to the passage of this act.

Time of taking effect.

SECTION 30. So much of section one of this act as provides for the appointment of additional members of the commission and for the designation of the respective terms of office of the commissioners shall take effect upon its pas-

sage, and otherwise this act shall take effect on the first day of July next.

(*This bill, returned by the governor to the house of representatives, the branch in which it originated, with his objections thereto, was passed by the house of representatives June 13, and, in concurrence, by the senate June 13, the objections of the governor notwithstanding, in the manner prescribed by the Constitution; and thereby has the "force of a law".*)

An Act to authorize the city of Boston to pay an annuity to the widow of Michael D. Greene. *Chap.* 785

Be it enacted, etc., as follows:

City of Boston may pay annuity to Alice Greene.

Section 1. The city of Boston is hereby authorized to pay an annuity of not more than three hundred dollars to Alice Greene, widow of Michael D. Greene, so long as she remains unmarried. Said Michael D. Greene, who was a lieutenant in the fire department of the city of Boston, while in the discharge of his duties as a member and officer of said fire department, received injuries on the fourteenth day of August, nineteen hundred and eleven, which resulted in his death. The fire commissioner of said city may from time to time order such annuity to be reduced.

Time of taking effect

Section 2. This act shall take effect upon its acceptance by the city council of the city of Boston.

Approved June 13, 1913.

An Act relative to tenement houses in cities. *Chap.* 786

Be it enacted, etc., as follows:

Part I.

General Provisions.

short title.

Tenement house act for cities.

Section 1. This act shall be known as the tenement house act for cities.

definitions.

Certain words and terms defined.

Section 2. Certain words in this act are defined for the purposes thereof as follows: — Words used in the present tense include the future; words in the masculine gender

Certain words and terms defined.

include the feminine and neuter; the singular number includes the plural and the plural the singular; the word "person" includes a corporation as well as a natural person.

(1) A "tenement house" is any house or building, or part thereof, which is rented, leased, let or hired out, to be occupied, or is occupied, or is intended, arranged or designed to be occupied as the home or residence of two or more families, which families may consist of one or more persons, living independently of each other and doing their cooking on the premises, and having a common right in the halls, stairways, yard, courts, cellar, sinks, water-closets or privies, or any of them. Where the occupants of dwelling houses contiguous and vertically divided, each occupied or intended, arranged or designed to be occupied as the home or residence of one family or more, have a common right in or use in common the halls, stairways, yards, cellars, sinks, water-closets or privies, or any of them, such dwelling houses shall be deemed to be tenement houses and shall be subject to all the provisions of this act.

(2) A "yard" is an open unoccupied space on the same lot with a tenement house between the extreme rear line of the house and the extreme rear line of the lot. A "front yard" is an open unoccupied space between the front line of the house and the front line of the lot. A "side yard" is an open unoccupied space between the side line of the main part of the house and the side line of the lot and shall be deemed an outer court on the lot line.

(3) A "court" is an open unoccupied space, other than a yard or front yard, on the same lot with a tenement house. A court which extends to the street, yard, front yard, or side yard is an "outer court." A court not thus extending is an "inner court."

(4) The "first story" of a building shall be deemed to be the lowest story, the ceiling of which is six feet or more above both the level of the curb and the level of the adjacent ground. In determining the height of any building by stories, the stories thereof beginning with such first story shall be numbered upward.

(5) A "half story" or attic is any story included in the roof, the cubic contents of which, exclusive of cockloft or blind attic not exceeding three feet in height at the highest point, is not more than sixty per cent of the cubic contents of the first story.

(6) A "basement" is a story partly underground but having not less than one half of its height above the level of the curb, and also having one half its height in every part above the level of the adjoining ground. Certain words and terms defined.

(7) A "cellar" is a story more than one half below the level of the curb or the adjoining ground.

(8) An "alcove" is any part of a room partitioned off by fixed or movable partitions of any material, by curtains or portieres or by other contrivance or device, and intended or designed to be used for living purposes.

(9) A "public hall" is a hall, corridor or passageway not within an apartment.

(10) A "stair hall" includes the stairs, stair landings and those parts of the public halls through which it is necessary to pass in going from the entrance floor to the roof.

(11) "First-class construction." A tenement house of first-class construction is one constructed of fireproof material throughout, with floors built of steel or reinforced concrete beams, filled in between with terra cotta or other masonry arches or with concrete or reinforced concrete slabs; wood may be used only for under and upper floors, windows and door frames, sashes, doors, interior finish, hand-rails for stairs, necessary sleepers bedded in the cement, and for isolated furrings bedded in mortar. There shall be no air space between the top of any floor arches and the floor boarding.

"Second-class construction." A tenement house of second-class construction is one of which the exterior and party walls are fireproof and conform to the requirements of first-class construction as defined by law or by ordinances of the city in which it is situated.

"Third-class construction." A tenement house of third-class construction is one of which the exterior walls or parts thereof are of combustible material and do not conform to the requirements of first-class construction.

(12) The word "nuisance" shall be held to embrace all public nuisances as known at common law or in equity jurisprudence; and it is further enacted that whatever is dangerous to human life or detrimental to health, whatever building or erection, or part or cellar thereof, is overcrowded with occupants, or is not provided with adequate ingress or egress to and from the same or the apartments thereof, or is not sufficiently supported, ventilated, sewered, drained,

Certain words and terms defined.

cleaned or lighted, in reference to its or their intended or actual use; and whatever renders the air or human food or drink unwholesome, are also severally in contemplation of this act, nuisances; and all such nuisances are hereby declared unlawful.

(13) The word "shall" is always mandatory and not directory, and denotes that the house shall be maintained in all respects according to the mandate so long as it continues to be a tenement house.

(14) Whenever the words "charter", "ordinances", "regulations", "building department", "building inspector", "health department", "board of health", "department charged with the enforcement of this act", "corporation counsel", "city solicitor", "city treasury" or "fire limits" occur in this act they shall be construed as if followed by the words, "of the city in which the tenement house is situated." Wherever the words "is occupied" are used in this act applying to any building such words shall be construed as if followed by the words, "or is intended, arranged or designed to be occupied." Whenever the word "street" is used in this act, it shall be construed as including any right of way dedicated to public use, any public alley, or railroad right of way sixteen feet or more in width, any cemetery or public park.

(15) The "height" of a tenement house is the perpendicular distance measured in a straight line from the curb level, or from the finished grade line of the lot where such grade is higher than the curb, to the mean height above the eaves of any sloping roof, and to the highest point of the roof beams in the case of flat roofs, except that in the case of flat roofs a parapet exceeding three feet in height shall be considered a part of the height of the building, the measurements in all cases to be taken through the centre of the street front of the house. Where a building is on a corner lot and there is more than one grade or curb level, the measurements shall be taken through the centre of the front on the street having the lowest elevation.

(16) "Occupied spaces." Porches, platforms except those on the first story when the basement is not occupied or designed or intended to be occupied for habitation, outside stairways, excepting fire escapes and steps leading to the first story, shall be considered as part of the building and not as part of the yard or courts or unoccupied areas.

(17) A "lot" is the plot of ground covered by and adjacent to a tenement house or a dwelling house and devoted exclusively to the purposes of such house, as shown by the plan of such lot furnished to the building department pursuant to section eighty-four of this act. A "corner lot" is a lot situated at the junction or intersection of two streets each not less than sixteen feet in width, but any lot the outer angle of which is over one hundred and twenty-five degrees shall not be considered a corner lot. Any portion of the width of the front of such lot distant more than fifty feet and any portion of the depth of such lot distant more than one hundred feet from such a junction or intersection shall not be regarded as part of a corner lot, but shall be subject to the provisions of this act respecting interior lots. Certain words and terms defined.

(18) An "interior lot" is any other lot than a corner lot.

(19) The front of a lot is that boundary line which borders on the street. In the case of a corner lot the owner may elect by statement on his plans either street boundary line as the front. The rear of a lot is the side opposite to the front. In the case of a corner lot with streets on three sides, or of a triangular or irregularly shaped lot abutting on two streets at their junction or intersection the rear shall be a side not bordering on a street.

BUILDINGS CONVERTED OR ALTERED.

Section 3. A building not a tenement house, if hereafter converted or altered to such use, shall thereupon become subject to all the provisions of this act affecting tenement houses hereafter erected. Buildings, altered, etc., to become subject to this act.

ALTERATIONS AND CHANGE IN OCCUPANCY.

Section 4. No tenement house hereafter erected shall at any time be altered so as to be in violation of any provision of this act. If any tenement house or any part thereof is occupied by a number of families in excess of the number specified in this act, or is erected or altered or occupied contrary to law, such tenement house shall be deemed an unlawful structure, and the board of health may cause such building to be vacated; and it shall not again be occupied until it or its occupation, as the case may be, has been made to conform to the law, and a permit is obtained in writing from the board of health. Alterations and change in occupancy.

LAW NOT TO BE MODIFIED.

Law not to be modified.

SECTION 5. This act shall be held to provide the minimum requirements adopted for the protection of the health and safety of the community. Nothing in this act contained shall be construed as prohibiting any city from enacting from time to time supplementary ordinances imposing further restrictions, but no city authority shall have power to minimize, avoid or repeal any provision of this act.

SEWER CONNECTION AND WATER SUPPLY.

Water and sewer connections.

SECTION 6. The provisions of this act with reference to sewer connection and water supply shall be deemed to apply only where connection with a sewer and with a water main is or becomes accessible. The questions of the practicability of such sewer and water connections shall be decided by the local board of health, or by the state board of health upon request of the local board.

STATE BOARD OF HEALTH.

Power of state board of health.

SECTION 7. The state board of health shall have power to examine into the enforcement of the laws relating to tenement houses in any city. Whenever so required by the governor, it shall make such an examination and shall report the result thereof to the governor within the time prescribed by him.

TIME FOR COMPLIANCE.

Improvements to be made within one year after acceptance.

SECTION 8. All improvements specifically required by this act upon tenement houses erected prior to the date of its acceptance by a city shall be made within one year from said date, or at such earlier period as may be fixed by the building inspector.

PART II.

TITLE 1. LIGHT AND VENTILATION.

DISTANCE FROM SIDE LOT LINE.

Distance from side lot line.

SECTION 9. No tenement house of third-class construction shall hereafter be erected, enlarged or placed with the side walls, bay windows or other projections, except cornices,

belt courses and window sills, nearer than five feet to the line of any adjoining lot, nor shall any lot upon which such a tenement house stands be so changed in size as to bring the side walls or bay windows or other projections except as aforesaid nearer than five feet to the line of any adjoining lot. But any such tenement house may be constructed to the lot line if protected by a fire wall as provided in section forty-six.

If the side walls of any tenement house of first or second-class construction are built to the lot line there shall be no windows or any other openings in such walls.

HEIGHT.

Height. Section 10. No tenement house hereafter erected shall have more than one legally habitable story for each full ten feet of the width of the street, unless such house be set back from the street a distance equal to the excess of its height over that permitted at the street line. On a corner lot the height shall be governed by the width of the wider street, as above, but this height shall not extend along the narrower street a distance greater than twice the width of said street.

YARDS.

Yards. Section 11. Behind every tenement house hereafter erected there shall be a yard extending across the entire width of the lot and at every point open from the ground to the sky unobstructed, except as hereinafter provided. Every part of such yard shall be directly accessible from every other part thereof. The depth of said yard shall be measured from the extreme rear of the house toward the rear line of the lot. Where the rear of the lot abuts on a public alley or right of way dedicated to public use for the full width of the lot, the depth of the lot may be measured to the middle line of such alley or right of way; where there is no such alley or right of way the measurements shall be taken to the rear lot line. If the tenement house is three stories or less in height the depth of the yard in the case of interior lots shall be not less than fifteen feet, and the depth of the yard in the rear of corner lots shall be not less than ten feet. If the tenement house exceeds three stories in height, the depths above prescribed in the case of interior lots shall be increased five feet and in the case of corner lots shall be

increased two feet for each story above three stories. When a lot upon which a tenement house is built is bounded on every side by a street the yard may be omitted.

COURTS.

Sizes of courts.

SECTION 12. The sizes of all courts in tenement houses hereafter erected shall be proportionate to the height of the building. No court shall be less in any part than the minimum sizes prescribed in this section. The minimum width of a court for a two story building shall be ten feet, and the width shall increase two feet for each additional story. The length of an inner court shall never be less than twice the minimum width prescribed by this section. The length of an outer court shall never be greater than twice its minimum width unless provided at the inner end with an air intake at the bottom, as prescribed in section fourteen, which shall communicate directly with the street or yard or front yard.

The minimum width for an outer court on the lot line extending from the street or front yard to the yard shall be ten feet for a three story building, and the width shall increase one foot for each additional story.

COURTS OPEN AT TOP.

Courts to be open at top.

SECTION 13. No court of a tenement house hereafter erected shall be covered by a roof or skylight, but every court shall be at every point open from the ground to the sky unobstructed.

AIR INTAKES.

Air intakes.

SECTION 14. In every tenement house hereafter erected, four stories or under in height, every inner court shall be provided with one or more horizontal air intakes at the bottom. Such intakes shall communicate directly with the street, front yard or yard, and shall consist of a fireproof passageway not less than three feet wide and seven feet high which shall be left open, or be provided with an openwork gate at each end, and such gate shall not be covered over in any way either by glass or any other material. If the tenement house is over four stories in height there shall be two or more such intakes, one communicating with the street or front yard and one with the yard.

EXTENSIONS OR OFFSETS TO COURTS.

Extensions or offsets to courts.

Section 15. Extensions or offsets to courts in tenement houses hereafter erected are permitted for the purpose of lighting bathrooms, water-closets and corridors only, but no such extension or offset shall be less than six feet in width in any part; its depth may be less than but never greater than its width. Such dimensions shall be deemed the minimum dimensions for a two story house, and shall increase one foot for each story above two stories.

ANGLES IN COURTS.

Building of walls across angles in courts.

Proviso.

Section 16. Nothing contained in the foregoing sections concerning courts shall be construed as prohibiting the building of walls across the angles of said courts to contain windows: *provided,* that the running length of the wall containing such windows does not exceed six feet.

BUILDING ON SAME LOT WITH TENEMENT HOUSES.

Placing of buildings on same lot with tenement houses.

Section 17. If any building is hereafter placed on the same lot with a tenement house there shall always be maintained between the said buildings an open unoccupied space extending upward from the ground and extending across the entire width of the lot. Such space shall never be less than twenty-five feet in depth and where either building exceeds three stories in height the depth of such open space shall be increased five feet for each story above three stories. And no building of any kind shall hereafter be placed upon the same lot with a tenement house so as to diminish the minimum size of courts or yards as hereinbefore prescribed, except that where an alley not less than ten feet wide abuts the rear of the lot, a rear building, if not used for tenement house or stable or manufacturing purposes, may be built up to the rear line of the lot: *provided,* that it does not exceed one story in height and that the space between it and the front building is maintained as required by this section. And if any tenement house is hereafter erected upon any lot upon which there is already another building, it shall comply with all the provisions of this act, and, in addition, the space between the said building and the said tenement house shall be of such size and arranged in such manner as is prescribed in this section, the height of the highest building on the lot to regulate the dimensions.

Proviso.

REAR TENEMENTS.

Rear tenements.

SECTION 18. No tenement house shall hereafter be erected upon the rear of a lot where there is a building on the front of the said lot, nor upon the front of any such lot upon the rear of which there is a tenement house or stable or building used for manufacturing purposes. This provision shall not apply to tenement houses abutting on two streets and situated on the outside corner of the lot.

ROOMS, LIGHTING AND VENTILATION OF.

Lighting, etc.

SECTION 19. In every tenement house hereafter erected every apartment shall have at least one room with a window opening directly upon the street or the yard, and every room in such tenement house shall have at least one window opening directly upon the street or upon a yard or court of the dimensions specified in this act, except that kitchenettes, pantries, water-closet compartments and bathrooms may have such window opening upon an offset to a court, as provided in section fifteen, and such window shall be so located as properly to light all parts of such rooms.

WINDOWS IN ROOMS.

Area of windows, etc.

SECTION 20. In every tenement house hereafter erected the total area of the windows between stop beads in each room, including kitchenettes, water-closet compartments and bathrooms, shall be at least one seventh of the floor area of the room, and the top of at least one window shall be not less than seven feet six inches above the floor, and the upper half of it shall be made so as to open the full width. No such room shall have less than twelve square feet of window area measured between stop beads, except that in kitchenettes, water-closet compartments and bathrooms such windows shall be not less than six square feet in area between stop beads.

ROOMS, SIZE OF.

Size of rooms.

SECTION 21. In every tenement house hereafter erected there shall be in each apartment at least one room containing not less than one hundred and fifty square feet of floor area and every other room except kitchenettes, water-closet compartments and bathrooms shall contain not less than

eighty-four square feet of floor area. All rooms shall be in every part not less than eight feet six inches from the finished floor to the finished ceiling, except that a half-story room need be eight feet six inches in height in but one half of its area.

ALCOVES AND ALCOVE ROOMS.

Alcoves, etc.

Section 22. In every tenement house hereafter erected an alcove in any room shall be separately lighted and ventilated as provided for rooms in the foregoing sections. No part of any room in a tenement house shall be enclosed or subdivided at any time, wholly or in part, by a curtain, portiere, fixed or movable partition or other contrivance or device so as to make an alcove unless the part of the room so enclosed or subdivided shall contain a separate window, as herein required, and shall have a floor area of not less than eighty-four square feet.

PRIVACY.

Privacy.

Section 23. In every tenement house hereafter erected, in each apartment there shall be access to every living room and bedroom, and to at least one water-closet compartment without passing through a bedroom or bathroom or water-closet compartment.

PUBLIC HALLS, LIGHTING AND VENTILATION OF.

Windows in public halls.

Section 24. In every tenement house hereafter erected, every public hall and stair hall shall have at each story at least one window opening directly upon the street or upon a yard or court of the dimensions specified in this chapter. Such window in a public hall shall be at the end of the hall with the natural direction of the light parallel to the hall's axis. Any part of a public hall which is in any way shut off from any other part of the hall shall be deemed a separate hall within the meaning of this section.

WINDOWS FOR PUBLIC AND STAIR HALLS, SIZES OF.

Sizes of windows in halls.

Section 25. In every tenement house hereafter erected the windows provided to light and ventilate each public hall and stair hall, or part thereof, shall contain not less than twelve square feet clear opening, measured between stop beads. The top of one such window shall be not less

than seven feet six inches above the floor, and the upper half thereof shall be made so as to open the full width. A sash door shall be deemed the equivalent of a window in this and the foregoing section: *provided*, that said door contains a clear opening of the size prescribed for such windows. In every tenement house of three or more stories there shall be in the roof directly over each stair well a ridge ventilator having a minimum opening of forty square inches and with fixed or movable louvres.

Proviso.

TITLE 2. SANITATION.

BASEMENT AND CELLAR ROOMS.

Use of basement and cellar rooms for living purposes.

SECTION 26. In tenement houses hereafter erected no room in the cellar or basement shall be constructed, altered, converted, or occupied for living purposes, unless, in addition to the other requirements of this act, all of the following conditions are complied with: In a cellar no room shall be so occupied unless it is in every part entirely above the finished grade of the adjoining land. Such occupied cellar shall be counted as a story in determining the size of courts and yard. In a basement no room shall be so occupied unless the ceiling in every part is at least four and one half feet above the curb level of the street in front of such room. Every such room shall be an integral part of an apartment containing a room opening directly upon the street or yard. There shall be appurtenant to every such apartment a separate water-closet, constructed and arranged as required by section thirty-one of this act. All walls surrounding such room, and the floor thereof, shall be damp proof.

CELLARS, DAMP PROOFING AND LIGHTING OF.

Damp proofing, etc., of cellars.

SECTION 27. Every tenement house hereafter erected shall have the cellar floor and the walls below the ground level damp proof. All cellars and basements in such tenement houses shall be properly lighted and ventilated in all their parts to the satisfaction of the board of health.

SPACES UNDER FLOORS.

Spaces under floors.

SECTION 28. In any tenement house hereafter erected, under any part of which there is no cellar, the first story shall be at least two feet above the ground beneath and

that adjacent thereto, and the space beneath such floor shall be kept free and clear and shall be enclosed to prevent the accumulation of rubbish, but provided with ample ventilation and adequate drainage.

DRAINAGE OF COURTS, AREAS AND YARDS.

Drainage of courts, yards, etc.

Section 29. In every tenement house hereafter erected all courts, areas and yards shall be properly graded and drained and connected with the street sewer subject to the provisions of section six. And when necessary in order to keep such premises in a sanitary condition such courts, areas or yards, or such part thereof as the board of health shall order, shall be properly paved.

SINKS.

Sinks.

Section 30. In every tenement house hereafter erected there shall be provided in each apartment a proper sink.

WATER-CLOSETS.

Construction, etc., of water-closets.

Section 31. In every tenement house hereafter erected there shall be within each apartment a separate water-closet, located in a bathroom or in a separate compartment: *provided,* that where there are apartments of but one or two rooms there shall be at least one water-closet for every two such apartments, and such water-closet shall not open into any apartment but shall be accessible through a public hall, and the door thereof shall be provided with lock and keys, and such compartment and water-closet shall comply in all other respects with the provisions of this act. Said compartment shall be not less than three feet wide, and shall be enclosed with brick, concrete, stone, tiled or plastered partitions which shall extend to the ceiling. No wooden sheathing or wainscotting shall be permitted. Every such compartment shall have a window opening directly upon the street or upon a yard or court of the minimum size prescribed by this act. Every water-closet compartment hereafter placed in any tenement house shall be provided with proper means of lighting the same at night. The floor of every such water-closet compartment shall be made waterproof with asphalt, tile, stone or some other non-absorbing waterproof material; and such waterproofing

Proviso.

shall extend at least six inches above the floor so that the floor can be washed or flushed out without leaking. When the water-closet fixture is located in a bathroom the floor directly beneath the fixture and extending at least one foot beyond it in each direction shall be waterproofed as above provided. No drip trays shall be permitted. No water-closet fixtures shall be enclosed with any woodwork. No water-closet shall be placed out of doors nor in the cellar of any tenement house, except as provided in section twenty-six or as an appurtenance to an engine or boiler room or laundry and then only in case such cellar closet is lighted and ventilated as required herein for a basement room.

PLUMBING.

Plumbing.

SECTION 32. In every tenement house hereafter erected plumbing fixtures shall not be enclosed with woodwork. All plumbing pipes shall be exposed, except as may otherwise be permitted by the board of health. Wherever plumbing or other pipes pass through floors or partitions they shall pass through metal bushings or casings extending entirely through the floor or partition, and the inner diameter of such bushing or casing shall in no case exceed the outer diameter of such pipe by more than one thirty-second of one inch, and such bushings or casings shall be so set in floors or partitions as to be externally air tight. All plumbing work shall be sanitary in every particular and except as otherwise specified in this act shall be in accordance with the local plumbing regulations. Pan and long hopper closets are hereby prohibited.

WATER CONNECTIONS.

Water supply.

SECTION 33. In every tenement house hereafter erected all sinks and water-closets shall be provided with an adequate supply of running water as approved by the board of health.

PRIVIES AND PRIVY VAULTS.

Privies, etc.

SECTION 34. No privy or privy vault shall be permitted on the same lot with any tenement house hereafter erected.

Title 3. Fire Protection.

CONSTRUCTION REQUIRED.

Construction required.

Section 35. No tenement house of third-class construction shall hereafter be erected exceeding two and one half stories in height in any part, nor shall it be occupied, nor intended, arranged or designed to be occupied, by more than two families. No tenement house of second-class construction shall hereafter be erected exceeding four stories in height, nor shall it exceed twenty-five hundred square feet in superficial area between fire walls. Any tenement house hereafter erected which exceeds four stories in height shall be of first-class construction. A basement or cellar the ceiling of which extends more than three feet above the curb level shall be a story within the meaning of this section.

FIRE ESCAPES.

Fire escapes, location, etc.

Section 36. In every tenement house hereafter erected which shall exceed two and one half stories in height in any part, there shall be one or more fire escapes located and constructed as provided in this section.

Such fire escape shall be so located as to permit of unobstructed egress from every apartment on each floor above the ground floor, and in no case shall such egress be through any bathroom, water-closet, storage room, or public hall, nor shall any opening giving egress to any fire escape be smaller in size than the minimum provided for windows by section twenty-five of this act.

No fire escape shall be placed within or open upon any inner court unless such court shall be at least twenty-four feet in size in its least dimension, and unless the consent of the building department shall have been obtained for such location.

Methods of construction.

Fire escapes shall, at the option of the owner, be constructed after one of the methods hereinafter specified and described, viz.:

A — Of a wholly enclosed tower stairway, with an adjacent open-air vestibule at each floor.

Every such vestibule shall be constructed with brick, terra cotta or concrete walls not less than eight inches thick at any point, and shall have at least one of such enclosing walls formed by an outer wall of the building, and in such

Fire escapes, manner of construction, etc.

outer wall there shall be a permanent opening to the outer air, of an area not less than eighty per cent of the total area of such vestibule wall, and of a height not less than the clear story height. Such opening, if reaching to the floor of the vestibule, shall be provided with a railing of suitable height and strength. The floors of vestibules shall be constructed wholly of incombustible material.

If one apartment on each floor is to be served by this fire escape then one side wall (i.e., a wall at right angles to the outer wall) of each vestibule shall have an approved fire door giving egress from the adjacent apartment; or, if two apartments on any floor are to be served by this fire escape, then the vestibule at such floor must be so located as to provide unobstructed egress from each apartment by means of an approved fire door in each side wall of the vestibule. Such fire doors shall be not less than three feet in clear width nor less than six feet and six inches in clear minimum height, and shall not be secured or fastened except upon the apartment side, and then only by means of locking bars or other easily operated device having no removable parts. If there are openings from basement or cellar floors into the vestibule they shall be provided with self-closing fire doors and there shall be a permanent opening in the outer wall, all as hereinbefore described.

On the side of each vestibule opposite the opening to the outer air shall be constructed an approved fire door giving access to the stairway tower. Every such door shall be of the size hereinbefore described, of self-closing pattern but without locks or other fastenings, and shall contain an upper lighting panel or panels of wire glass at least six feet in area. There shall be no openings into such a vestibule other than those hereinbefore described.

The stairway tower shall be not less than six feet six inches in clear width, and shall be constructed with walls of brick, terra cotta, or concrete not less than eight inches thick at any point. Such walls shall extend from the ground to a point not less than two feet above the roof, and shall be so constructed as to be impervious to smoke. There shall be no doorways or other openings of any kind in such walls except the doorways connecting with the above described vestibules, and excepting an egress doorway opening at the ground level, such egress door to open outwardly, and if secured to be fastened upon the inside only. No

such ground level door shall be secured by means of sliding bolts, nor by a lock or other apparatus requiring a key or other similar removable device. Fire escapes, construction, etc.

Within the stairway tower shall be provided a stairway with a landing at the level of each doorway, each landing to extend the full width of the shaft and to be at least six inches wider in clear width than the door opening thereon. Stairs and such intermediate landings as may be required shall be not less than three feet in width measured to the centre of balustrades, and shall be provided with balustrades and wall rails. Stairs shall be placed at an angle not exceeding forty-five degrees from the horizontal; treads to be not less than eight inches wide, and risers not to exceed nine inches in height. Winders shall not be permitted, nor shall there be less than three steps between any two landings. All such stairways, landings and balustrades shall be of incombustible material, except that wooden hand-rails and wall rails may be used.

Every such shaft shall be roofed and provided with a skylight not less than sixteen square feet in area, glazed with wire glass one fourth inch or more in thickness set in metal frame and sash, and shall also have placed centrally in such skylight a suitable ventilator of not less than two hundred and twenty-five square inches area.

The above described type of fire escape may at the option of the owner be used as a regular service stairway.

B — Of an enclosed tower stairway, similar to the above, except that access to the same shall be provided by means of an outside balcony in each story above the ground floor, instead of by means of the vestibules hereinbefore described. Such balconies shall be constructed wholly of incombustible material, shall be provided with well-braced balustrades of proper height on outer side and ends, and shall extend beyond at least one door or window opening into each adjacent apartment. All doors opening into the stairway tower shall be as described for type "A" fire escape.

C — Of an outside balcony or balconies at each floor above the first floor.

Such balconies shall be constructed wholly of incombustible material approved by the building department. They shall be not less than two feet in width at any point, and shall be provided with suitable balustrades and hand-rails on outer sides and ends.

Fire escapes, construction, etc.

Each balcony shall communicate with the balcony next below by permanent stairways placed at an angle of not more than forty-five degrees from the horizontal, treads shall not be less than eight inches wide nor shall risers exceed nine inches in height, and each stairway shall be provided with balustrades and hand-rails and shall measure in width not less than twenty-four inches measured from centres of hand-rails.

A counter-balanced stairway shall be provided extending from the lowest balcony to the ground, arranged to be lifted and supported when not in use in a manner satisfactory to and approved by the building inspector.

All such balconies shall extend to and include at least one floor or window in every apartment on every floor above the ground floor, exclusive of windows in bathrooms, water-closets, storage rooms or public halls.

Floors of all balconies required by this act and treads of stairs appurtenant to balconies and fire escapes shall be constructed of grating pattern, and shall have the bars separated by a clear space of not over one inch, and shall be so constructed as safely to sustain a live load of not less than seventy pounds to the square foot of floor area. Balconies, unless it is otherwise provided by existing building laws or regulations, may project into the public highway for a distance not greater than four feet beyond the established building line. In case of tenements with flat roof, the balconies on the upper floors shall, if required by the building department, be provided with stairs or a gooseneck ladder leading from such balcony to the roof and securely fastened thereto.

All balustrades in this section shall have vertical bars placed not more than six inches on centres.

All balconies forming part of or constituting fire escapes, and all appurtenances thereof, shall be subject to such supplementary regulations as are in force or as may hereafter be adopted by any city or by the building department thereof.

All doors opening upon fire escape balconies within six feet of the stairways shall be of self-closing fire-resisting pattern.

All windows opening upon fire escape balconies within six feet of the stairways shall be self-closing of wire glass set in metal frames and sash.

BULKHEADS AND SCUTTLES.

Construction, etc., of bulkheads and scuttles.

Section 37. Every tenement house hereafter erected exceeding two and one half stories in height and having a flat roof shall have in the roof a bulkhead or a scuttle not less than two feet by three feet in size. Such bulkhead or scuttle shall be covered with metal on the outside and shall be provided with stairs leading thereto and easily accessible to all tenants of the building. No bulkhead or scuttle shall be located in a closet or room, but shall be placed in the ceiling of the public hall on the top floor, and access through the same to the roof shall be direct and uninterrupted.

STAIRS AND PUBLIC HALLS.

Stairs and public halls.

Section 38. Every tenement house hereafter erected shall have at least one flight of stairs extending from the entrance floor to the top story. Every such tenement house of third-class construction shall have at least two independent flights of stairs with separate entrances leading from the entrance floor to the top story, said flights of stairs being at two points as far apart as is possible in the opinion of the building department, and one of said flights of stairs may consist of outside, open stairs and balconies. In all cases said stairs shall be directly accessible from each apartment, without passing through any other apartment. All stairs and balconies and all public halls shall be at least three feet six inches wide in the clear. All stairs shall be constructed with a rise of not more than eight inches and with treads not less than nine inches wide. Winders shall not be permitted in any staircase.

FIREPROOF STAIRS AND STAIR HALLS.

Fireproof stairs and stair halls required in tenement houses of second-class construction.

Section 39. In every tenement house of second-class construction hereafter erected exceeding two and one half stories in height the stairs and stair halls shall be constructed of incombustible material throughout, except that treads may be of hard wood not less than one and three quarters inches thick. Wooden hand-rails shall be permitted. The floors of all such stair halls shall be constructed of incombustible material, and no wooden flooring or sleepers shall be permitted. All such stairs and stair halls shall be enclosed on all sides with brick, terra cotta or concrete walls

not less than eight inches thick. There shall be no transom or sash opening from any such stair hall to any other part of the house. Each stair hall shall be shut off from all non-fireproof parts of the building, on each story, by self-closing fire doors, and if glass is used in such doors it shall be of wire glass in metal frames and sash.

ENTRANCE HALLS.

Entrance halls.

SECTION 40. Every entrance hall in a tenement house hereafter erected shall be at least four feet wide in the clear.

SHAFTS.

Shafts to be of fireproof construction.

SECTION 41. In tenement houses hereafter erected all shafts shall be constructed of incombustible materials throughout, with self-closing fire doors at all openings at each story; and, if they extend to the cellar, shall also be enclosed in the cellar with incombustible walls and self-closing fire doors at all openings. In no case shall any shaft be constructed of materials in which any inflammable material or substance enters into any of the component parts. But nothing contained in this section shall be so construed as to require such enclosures about elevators or dumb-waiters in the well-hole of stairs where the stairs themselves are enclosed in brick or stone walls, and are entirely constructed of incombustible materials as hereinbefore provided.

FIRST TIER OF BEAMS.

Ceiling of cellar, etc.

SECTION 42. In every tenement house of second-class construction hereafter erected the cellar ceiling and the ceiling and side walls of the cellar stairs shall be plastered on metal lath, and the stairs shall be provided at the top with a self-closing fire door.

CLOSET UNDER FIRST STORY STAIRS.

Closets under first story stairs not allowed.

SECTION 43. In tenement houses hereafter erected no closet of any kind shall be constructed under any staircase leading from the first story to the upper stories.

CELLAR ENTRANCE.

Outside cellar entrance.

SECTION 44. In every tenement house hereafter erected there shall be an entrance to the cellar or other lowest story from the outside of the building.

PLASTER FINISH ABOUT CHIMNEYS.

Finish about chimneys.

Section 45. Whenever the plaster finish about any chimney is carried on furring, the furring strips shall be of metal, and only metal lathing shall be used.

All recesses about funnel holes shall be finished wholly with incombustible material at sides, top and bottom.

FIRE WALLS.

Fire walls.

Section 46. Where non-fireproof tenement houses are built in the form of double houses or terraces or attached or semi-attached rows, there shall be a fire wall of brick, concrete or terra cotta or other hard incombustible material approved by the inspector of buildings, separating every such house from each adjoining house, and such wall shall have no openings therein, and shall extend from the floor of the basement or cellar to not less than one foot above the roof, and out to the boarding of the walls. No wooden beams shall be carried through the fire walls.

ROOFING MATERIALS.

Roofing materials.

Section 47. Every tenement house hereafter erected shall have the roof in all parts and the sides of all dormer windows covered with fire-resisting material satisfactory to the building inspector.

WOODEN TENEMENT HOUSES.

Wooden tenement houses not to be used for certain purposes above second story.

Section 48. In no wooden tenement house hereafter erected shall any story or part thereof above the second story be rented, leased, let or hired out to be occupied for housekeeping, nor shall it be intended, arranged or designed to be occupied for housekeeping, nor shall any provision be made for cooking nor shall any cooking be done above the second story.

PART III.

Improvements.

ROOMS, LIGHTING AND VENTILATING OF.

Lighting and ventilation of rooms.

Section 49. No room or alcove in a tenement house erected prior to the acceptance of this act shall hereafter be occupied for living purposes unless it shall have a window

with an area of not less than ten square feet between stop beads opening directly upon the street, or upon a yard not less than ten feet deep, or above the roof of an adjoining building, or upon a court of not less than thirty square feet in area, open to the sky without roof or skylight.

PUBLIC HALLS, LIGHTING AND VENTILATING OF.

Lighting and ventilation of public halls.

SECTION 50. In every tenement house erected prior to the acceptance of this act, the public halls and stairs shall be provided with sufficient light to permit the reading of twelve point type in the daytime in any part thereof. Light and ventilation in such halls shall be from the outer air, except when in the opinion of the building inspector it is impracticable, in which case the lighting and ventilation shall be such as to meet the approval of the board of health.

Skylights.

All new skylights hereafter placed in such a house shall be provided with ridge ventilators having a minimum opening of forty square inches, and also with either fixed or movable louvres, or with movable sashes, and shall be of such size as may be determined to be practicable by the building inspector.

SINKS.

Sinks.

SECTION 51. In every tenement house erected prior to the acceptance of this act, the woodwork enclosing sinks placed in the public halls or stairs shall be removed and the spaces underneath shall be left open. The floors and wall surfaces beneath and around the sink shall be put in good order and repair, and if of wood shall be well painted with light-colored paint.

WATER-CLOSETS.

Water-closets.

SECTION 52. In every tenement house erected prior to the acceptance of this act, the woodwork enclosing every water-closet fixture shall be removed, and the space underneath the seat shall be left open. The floor and other surfaces beneath and around the closet shall be put in good order and repair, and if of wood shall be well painted with light-colored paint.

PRIVY VAULTS, SCHOOL SINKS AND WATER-CLOSETS.

Removal of cesspools, etc.

SECTION 53. In every tenement house erected prior to the acceptance of this act, where a connection with a sewer is possible, all cesspools, school sinks, privy vaults

or other similar receptacles used to receive fecal matter, urine or sewage shall within one year after the acceptance of this act be completely removed and the places where they were located properly disinfected under the direction of the board of health. Such appliances shall be replaced by individual water-closets of durable non-absorbent material, properly sewer-connected, with individual traps and properly connected flush tanks providing an ample flush of water thoroughly to cleanse the bowl. Each water-closet shall be located inside the tenement house in a compartment completely separated from every other water-closet, and such compartment shall contain a window of not less than three square feet in area opening directly upon the street, or yard, or on a court of which the least dimension is not less than three feet and the area not less than fifteen square feet. The floors of the water-closet compartment shall be waterproof as provided in section thirty-one of this act. There shall be provided at least one water-closet for each apartment in every tenement house existing on the day when this act takes effect, unless, in the opinion of the building inspector, this shall be impracticable; but in no case shall there be less than one water-closet for every two apartments. Such water-closets and all plumbing in connection therewith shall be sanitary in every respect, and, except as in this section otherwise provided, shall be in accordance with the laws, ordinances and regulations in relation to plumbing and drainage. Pan and long hopper closets shall not be permitted.

Water-closets.

BASEMENTS AND CELLARS.

Section 54. Any part of a floor or wall below the adjoining grade, and in any case the lowest floor, shall be damp proof and, when necessary, shall be concreted with a finished surface. The cellar ceiling of every tenement house shall be plastered when so required by the building inspector, except where such ceiling is already well covered with a metal ceiling or where the first floor above the cellar is constructed of iron beams and fireproof filling.

Basements and cellars to be damp proof, etc.

SHAFTS AND COURTS.

Section 55. In every tenement house there shall be, at the bottom of every shaft and court, a door giving sufficient access to such shaft or court to enable it to be properly

Doors in shafts and courts.

Proviso.

cleaned out: *provided*, that where there is already a window giving proper access to such shaft or court, such window shall be deemed sufficient.

FIRE ESCAPES.

Construction of fire escapes.

SECTION 56. All non-fireproof tenement houses erected prior to the acceptance of this act which are three or more stories in height which do not have fireproof stairs and stair halls or adequate fire escapes as hereinafter required, except those of three stories which have two independent means of egress not directly connected with each other, approved in writing by the building inspector, and directly accessible to each apartment, shall be provided either with incombustible outside stairways or with incombustible fire escapes directly accessible to each apartment without passing through a public hall.

All fire escapes hereafter erected shall be located and constructed as prescribed in section thirty-six of this act.

No existing fire escape shall be deemed adequate unless the following conditions are complied with: —

(1) In every tenement house each apartment above the ground floor shall have a fire escape balcony directly accessible to it. All balconies shall be capable of sustaining a live load of seventy pounds per square foot.

(2) All balconies shall be properly connected with one other by adequate stairs or stationary ladders with openings not less than twenty-four by thirty-six inches, unless such balconies connect adjoining houses or adjoining parts of the same house separated from each other by a fire wall in which there are no openings except such as are protected by self-closing fire doors.

(3) All fire escapes shall have proper ladders from the lowest balcony of sufficient length to reach a safe landing place beneath.

(4) All fire escapes not on the street shall have a safe and adequate means of egress from the yard or court to the street or to adjoining premises.

(5) Prompt and ready access shall be had to all fire escapes, which shall not be obstructed in any way.

No existing fire escape shall be extended or have its location changed except with the written approval of the inspector of buildings.

MEANS OF EGRESS.

Means of egress.

Section 57. Whenever a tenement house is not provided with sufficient fire escapes or with sufficient means of egress in case of fire, the building inspector shall order such additional fire escapes and other means of egress as may be necessary.

PART IV.

Alterations.

GENERAL PROVISIONS.

Alterations.

Section 58. No tenement house erected prior to the acceptance of this act shall at any time be altered so as to be in violation of the requirements of Part II, except as hereinafter provided.

Additional rooms, etc.

(1) Any additional room or hall that is hereafter constructed or created in a tenement house shall comply in all respects with the provisions of Part II of this act, except that such rooms may be of the same height as the other rooms in the same story of the house.

Shafts.

(2) All shafts shall be constructed fireproof throughout; with fireproof self-closing doors at all openings, at each story; and, if they extend to the cellar, shall also be enclosed in the cellar with fireproof walls and fireproof self-closing doors at all openings. In no case shall any shaft be constructed of materials in which any inflammable material or substance enters into any of the component parts. But nothing contained in this section shall be so construed as to require such enclosures about elevators or dumb-waiters in the well-hole of stairs where the stairs themselves are enclosed in brick or stone walls, and are entirely constructed of fireproof materials as hereinbefore provided.

Certain tenement houses not to be enlarged, etc.

(3) No tenement house of third-class construction containing more than two apartments shall hereafter be enlarged or extended; except that a wooden extension not exceeding in total area seventy square feet may be added to an existing wooden tenement house, provided that such extension is used solely for bathrooms or water-closets.

PART V.

MAINTENANCE.

PUBLIC HALLS, LIGHTING OF, IN THE DAYTIME.

Lighting of public halls in the daytime.

SECTION 59. In every tenement house where the public halls and stairs are not, in the opinion of the board of health, sufficiently lighted, the owner of the house shall keep a proper light burning in the hallway, near the stairs, upon each floor, as may be necessary, from sunrise to sunset.

PUBLIC HALLS, LIGHTING AT NIGHT.

Lighting of public halls at night.

SECTION 60. In every tenement house occupied by more than two families a proper light shall be kept burning by the owner in the public hallways, near the stairs, upon the entrance floor, and upon the second floor above the entrance floor of the house, every night from sunset to sunrise throughout the year, and upon all other floors of the said house from sunset until ten o'clock in the evening.

WATER-CLOSETS IN CELLARS.

Water-closets in cellars.

SECTION 61. No water-closet shall be permitted in the cellar of any tenement house, except as provided in sections twenty-six and thirty-one.

WATER-CLOSET ACCOMMODATIONS.

Water-closet accommodations.

SECTION 62. In every tenement house existing prior to the acceptance of this act there shall be provided at least one water-closet for every two apartments.

BASEMENT AND CELLAR ROOMS.

Occupation of basement and cellar rooms for living purposes.

SECTION 63. Hereafter in tenement houses erected prior to the acceptance of this act no room in the cellar shall be occupied for living purposes except as provided in section twenty-six. And no room in the basement of such houses shall be so occupied, unless all the following conditions are complied with: — Every such room shall be at least eight feet high in every part from the floor to the ceiling, and the ceiling in every part shall be at least four and one half feet above the curb level of the street or the level of the

yard or court in front of such room. There shall be appurtenant to every such room the use of a water-closet. Every such room shall have a window opening, as provided in section fifty-one, of at least twelve square feet in size clear of the sash frame, and which shall open readily for purposes of ventilation. The lowest floor shall be waterproof and damp proof. Every such room shall have sufficient light and ventilation, shall be well drained and dry, and shall be fit for human habitation.

WATER-CLOSETS AND SINKS.

Floors around water-closets and sinks.

Section 64. In all tenement houses the floor or other surface beneath and around water-closets and sinks shall be maintained in good order and repair, and if of wood shall be kept well painted with light-colored paint.

REPAIRS.

Repairs.

Section 65. Every tenement house and all the parts thereof shall be kept in good repair, and the roof shall be kept so as not to leak, and all rain water shall so be drained and conveyed therefrom, as to prevent dampness in the walls, ceilings, yards or areas.

WATER SUPPLY.

Water supply.

Section 66. Every tenement house shall have water furnished in sufficient quantity at one or more places in each apartment. The owner shall provide proper and suitable tanks, pumps, or other appliances to receive and distribute an adequate and sufficient supply of water at each apartment in the said house, at all times of the year during all hours of the day and night. But a failure in the general supply of water furnished by the city authorities or from the freezing or bursting of pipes shall not be construed to be a failure on the part of such owner, provided that proper and suitable appliances to receive and distribute water have been provided in the said house.

CLEANLINESS OF BUILDINGS.

Buildings to be kept clean and free from refuse matter, etc.

Section 67. The owner of every tenement house shall cause every part of such tenement house to be kept clean and free from any accumulation of dirt, filth and garbage

or other refuse matter in or on the same, or in the cellars, halls, passages, rooms, areas, yards, courts, and spaces appurtenant thereto. The owner shall thoroughly cleanse every part of a tenement house, whenever ordered so to do by the board of health.

WALLS OF COURTS.

Walls of courts to be whitened, etc.

SECTION 68. The walls of all courts, except those opening on a street, unless built of a light-colored brick or stone, shall be thoroughly whitened by the owner, or shall be painted a light color by him, and shall so be maintained. Such whitening or paint shall be renewed whenever necessary as may be required by the board of health.

WALLS AND CEILINGS OF ROOMS.

Walls and ceilings of rooms, etc.

SECTION 69. In all tenement houses the board of health may require the walls and ceilings of every room that does not open directly on the street to be whitened or painted with white paint when necessary to improve the lighting of such room, and may require this to be renewed as often as may be necessary.

WALL PAPER.

Wall paper.

SECTION 70. No wall paper shall be placed upon the wall or ceiling of any tenement house unless the wall or ceiling has been thoroughly cleaned.

RECEPTACLES FOR ASHES, GARBAGE AND RUBBISH.

Receptacles for ashes, etc., to be provided.

SECTION 71. The owner of every tenement house shall provide and maintain therefor suitable, covered, water-tight receptacles for ashes, rubbish, garbage, refuse and other like matter.

PROHIBITED USES.

Certain uses prohibited.

SECTION 72. No swine shall be kept in a tenement house, or on the same lot therewith. No horse, cow, calf, sheep, goat or fowl shall be kept in a tenement house, or on the same lot therewith within twenty-five feet of the tenement house. No tenement house, or the lot upon which it is situated, shall be used for the storage or handling of rags, nor as a place of public assemblage.

COMBUSTIBLE MATERIALS.

Section 73. No tenement house, and no part thereof, or of the lot upon which it is situated, shall be used as a place of storage, keeping or handling of any article dangerous or detrimental to life or health, nor for the storage, keeping or handling of feed, hay, straw, excelsior, cotton, paper stock, feathers, rags or other easily combustible articles. Not to be used for storage of combustible materials, etc.

BAKERIES AND FAT BOILING.

Section 74. No bakery and no place of business in which fat is boiled shall be maintained in any tenement house. Bakeries and fat boiling.

OTHER DANGEROUS BUSINESSES.

Section 75. There shall be no transom, window or door opening into a hall from any part of a tenement house where paint, oil, spirituous liquors or drugs are stored for the purpose of sale or otherwise. Other dangerous businesses.

JANITOR OR HOUSEKEEPER.

Section 76. For any tenement house in which the owner thereof does not reside, there shall be a janitor, housekeeper or other responsible person who shall have charge of the same if the board of health shall so require. Janitor or housekeeper.

OVERCROWDING.

Section 77. If a room in a tenement house is overcrowded, the board of health may order the number of persons sleeping or living in said room to be so reduced that there shall not be less than four hundred cubic feet of air to each adult, and three hundred cubic feet of air to each child under twelve years of age occupying the room. Overcrowding.

LODGERS.

Section 78. No tenement house, and no part thereof, shall be used for the letting of lodgings unless the person letting the same shall first file a notice in writing of the proposed letting in the office of the board of health, nor shall any person not a member of the family be taken to live within an apartment occupied by any family without such written notice. Letting of lodgings regulated.

It shall be the duty of the owner of a tenement house to see that the provisions of this section are at all times complied with, and a failure so to comply on the part of any tenant, after due and proper notice from the owner, shall be deemed sufficient cause for the summary eviction of such tenant and the cancellation of his lease.

REPAIRS TO BUILDINGS, ETC.

Board of health may order repairs, etc.

SECTION 79. Whenever any tenement house or building, structure, excavation, business pursuit, matter or thing, in or about a tenement house, or the lot on which it is situated, or the plumbing, sewerage, drainage, light or ventilation thereof, is, in the opinion of the board of health, in a condition or in effect dangerous or detrimental to life or health, the board may declare that the same, to the extent which it may specify, is a public nuisance, and may order the same to be removed, abated, suspended, altered or otherwise improved or purified, as the order shall specify. The board may also order or cause any tenement house or part thereof, or any excavation, building, structure, sewer, plumbing, pipe, passage, premises, ground, matter or thing, in or about a tenement house, or the lot on which it is situated, to be purified, cleansed, disinfected, removed, altered, repaired, or improved. If any order of the board is not complied with, within ten days after the service thereof, or within such longer or shorter time as the board may designate, then such order may be executed by said board through its officers, agents, employees or contractors.

INFECTED AND UNHABITABLE HOUSES TO BE VACATED.

Infected and unhabitable houses to be vacated.

SECTION 80. Whenever it shall be certified by an inspector or officer or agent of the board of health that a tenement house, or any part thereof, is infected with contagious disease, or that it is unfit for human habitation, or dangerous to life or health by reason of want of repair, or of defects in the drainage, plumbing, ventilation or the construction of the same, or by reason of the existence on the premises of a nuisance likely to cause sickness among the occupants of said house, the board may issue an order requiring all persons therein to vacate such house, or part thereof, within not less than twenty-four hours nor more than ten days, for the reasons to be mentioned in said order.

In case such order is not complied with within the time specified, the board may cause said tenement house or part thereof to be vacated. The board whenever it is satisfied that the danger from said house or part thereof has ceased to exist, or that it is fit for human habitation, may revoke said order, or may extend the time within which to comply with the same.

FIRE ESCAPES.

Repair of fire escapes.

Section 81. The owner of every tenement house shall keep all fire escapes thereon in good order and repair, and whenever they become rusty shall have them properly painted with two coats of paint. No person shall at any time place any incumbrance of any kind before or upon any such fire escape.

SCUTTLES, BULKHEADS, LADDERS AND STAIRS.

Scuttles, bulkheads, etc., to be easily accessible at all times, etc.

Section 82. All scuttles and bulkheads, and all stairs or ladders leading thereto, shall be easily accessible to all tenants of the building, and kept free from incumbrance, and ready for use at all times. No scuttle and no bulkhead door shall at any time be locked with a key, but either may be fastened on the inside by movable bolts or hooks.

PART VI.

Requirements and Remedies.

Inspector of buildings, appointment.

Section 83. In a city which accepts the provisions of this act and in which the office of building inspector or a similar office does not exist, the mayor shall annually appoint an inspector of buildings.

PERMIT TO COMMENCE BUILDING.

Permit for construction or alteration of tenement house.

Section 84. Before the construction or alteration of a tenement house, or the alteration or conversion of a building for use as a tenement house, is begun, and before the construction or alteration of any building or structure on the same lot with a tenement house, the owner shall submit to the building inspector a detailed statement in writing, verified by the affidavit of the person making the same, of the specifications for such tenement house or building, upon blanks or forms to be furnished by such inspector,

and also full and complete copies of the plans of the work, together with a plan of the lot on which the same is or is to be situated, showing the location, character and size of all buildings thereon, and the exact dimensions of said lot together with its description by metes and bounds. The said statement shall give in full the name and residence, by street and number, of the owner or owners of the tenement house or other building. If such construction, alteration or conversion is proposed to be made by any other person than the owner of the land in fee, the statement shall contain the full name and residence, by street and number, not only of the owner of the land, but of every person interested in the tenement house, either as owner, lessee or in any representative capacity. The affidavit shall allege that said specifications and plans are true and contain a correct description of such tenement house or other building, structure, lot and proposed work. The statements and affidavit herein provided for may be made by the owner, or by the person who proposes to make the construction, alteration or conversion, or by his agent. No person, however, shall be recognized as the agent of the owner, unless he shall file with the building inspector a written instrument, signed by the owner, designating him as such agent. Any false swearing in a material point in any such affidavit shall be deemed perjury. The said specifications, plans and statements shall be filed in the office of the building inspector and shall be public records, and no such specifications, plans or statements shall be removed from the said office. The building inspector shall cause all such plans and specifications to be examined.

Approval of plans and specifications.

If such plans and specifications conform to the provisions of law they shall be approved in writing by the building inspector, and he may from time to time approve changes in any plans and specifications, provided that the plans and specifications so altered are in conformity with law, but the building inspector shall not approve any plans or specifications or any changes in the same until the board of health has certified that the said plans and specifications conform to the law relative to light, ventilation and sanitation. The construction, alteration or conversion of such tenement house, building or structure or any part thereof, shall not be begun until the filing of the said specifications, plans and statements, and the approval thereof, as above provided.

The construction, alteration or conversion of any such house, building or structure, shall be in accordance with the said approved specifications and plans. Any permit or approval which may be issued by the building inspector but under which no work has been done above the foundation walls within one year after the issuance of the permit or approval, shall expire by limitation. Said inspector shall have power to revoke or cancel any permit or approval in case of any failure or neglect to comply with any provision of this act, or in case any false statement or representation was made in any specifications, plans or statements submitted or filed for such permit or approval.

Expiration, cancellation, etc.

APPROVAL OF CONSTRUCTION.

Section 85. No building hereafter constructed as or altered into a tenement house shall be occupied in whole or in part for human habitation until the building conforms in all respects to the requirements of law. Upon notice of the completion of the construction, alteration or conversion of a tenement house, it shall be the duty of the building inspector and of the board of health to inspect the building forthwith and it shall not be occupied as a place of habitation unless it conforms to the requirements of this act.

Building not to be occupied until after approval, etc.

PROCEDURE AND PENALTIES.

Section 86. Any court having jurisdiction in equity, or any justice thereof shall upon the application of the city solicitor, building inspector or the board of health of any city, have jurisdiction in equity to restrain the construction, alteration, repair, maintenance, use, or occupation of a building or other structure in violation of the provisions of this act and to order its removal or abatement as a nuisance, and to compel compliance with any provision of this act.

Enforcement of provisions.

Section 87. A building or other structure which is erected, altered, maintained or used in violation of the provisions of this act shall be deemed a common nuisance without other proof thereof than proof of such unlawful construction, maintenance or use, and the board of health may, if such violation is of any section of this act relative to light, ventilation and sanitation, and the building inspector may, if said violation is of any other provision of this act, order the owner of said premises at his own expense to abate or

Building erected, etc., in violation of this act to be deemed a common nuisance, etc.

remove said nuisance within twenty-four hours, or within such further time as said board of health or said building inspector, as the case may be, considers reasonable, after notice to be served in the manner provided in section ninety-four, and if the owner or occupant fails to comply with such order, the board may abate or remove the nuisance, and all expenses incurred thereby shall be paid by the person who caused or permitted the same.

Penalties.

SECTION 88. Whoever violates any provision of this act shall be punished by a fine of not less than ten dollars. Any person who violates any provision of this act, after he has been served with a notice or order as provided by section ninety-four, or who fails to comply with such notice or order within ten days after such service, or continues to violate any provision or requirement of this act in the respect named in such notice or order, shall be subject to an additional fine of not less than five dollars and not more than twenty dollars for each day after the first day during which the violation continues.

Action of board of health, etc., may be reviewed by superior court.

SECTION 89. Any person, the value of whose property may be affected by any action of the board of health or of the building inspector, may have the action of said board or inspector reviewed by the superior court by any appropriate process: *provided*, that proceedings are instituted within twenty days after such action.

Proviso.

Right of entry.

SECTION 90. Any person having any duty to perform in regard to any building or premises under the provisions of this act may, if it be necessary for the performance of such duty, enter any building or premises.

LIENS.

Liens.

SECTION 91. Every fine imposed by judgment under section eighty-eight of this act upon a tenement house owner shall be a lien upon the house in relation to which the fine is imposed from the time of the filing of a certified copy of the judgment in the office of the register of deeds for the county or district in which the tenement house is situated, subject only to taxes, assessments and water rates and other existing lawful incumbrances, and it shall be the duty of the board of health and the building inspector, upon the entry of said judgment, forthwith to file the copy as aforesaid, and the copy, upon such filing, shall forthwith be properly indexed by the register of deeds.

LIS PENDENS.

Section 92. In any action or proceeding instituted by the officer or department charged with the enforcement of this act, the plaintiff or petitioner may file in the office of the register of deeds for the county or district where the property affected by such action or proceeding is situated, a notice of the pendency of the action or proceeding. The register of deeds with whom the notice is filed shall record it, and shall index it under the name of each person against whom said proceeding is instituted. Any such notice may be vacated by the order of a justice of the court in which the action or proceeding was instituted or is pending. The register of deeds of the county or district where the notice is filed is hereby directed to mark the notice and any record or docket thereof as cancelled of record, upon the presentation and filing of a certified copy of such order. Notice of pendency of action to be filed, etc.

REGISTRY OF OWNER'S NAME.

Section 93. Every owner of a tenement house and every lessee of the whole house, or other person having control of a tenement house, shall file with the board of health a notice containing his name and address, and also a description of the property, by street and number or otherwise, as the case may be, in such manner as will enable the said board easily to find the same; and also the number of rooms in each apartment, and the number of families occupying the apartments. Owner's name, etc., to be registered, etc.

When the owner or agent is not a resident of the city the notice shall contain the name and address of some agent residing within the city for the purpose of receiving service of process, and notice to and service of process upon such agent shall bind the principal. Blanks for the said registration shall be provided by the board of health.

SERVICE OF NOTICES AND ORDERS.

Section 94. Unless otherwise provided in this act, every notice or order in relation to a tenement house shall be served ten days before the time for doing the thing in relation to which it is issued. The service of a notice or order as aforesaid shall be made by the delivery of an attested Service of notices.

copy in hand to the owner or his agent, or by leaving an attested copy at the last or usual place of abode of the owner or agent, or, if the owner is a non-resident and has no agent duly appointed, it shall be placed in a conspicuous place in said tenement house and a copy thereof mailed by a registered letter, on the same day on which it is posted, to the owner or his agent at his residence.

SERVICE OF SUMMONS.

Service of summons.

SECTION 95. In any action brought by any city official in relation to a tenement house for injunction, vacating of the premises or other abatement of nuisance, or to establish a lien thereon, service of process shall be in the manner provided in the preceding section, except that the service of process shall be made only by a sheriff or one of his deputies or by a constable.

INDEXING NAMES.

Certain names and addresses to be indexed, etc.

SECTION 96. The names and addresses filed in accordance with section ninety-three shall be indexed by the board of health in such a manner that all of those filed in relation to each tenement house shall be together, and readily ascertainable. The board of health shall provide the necessary books and clerical assistance for that purpose, and the expense thereof shall be paid by the city. Said indexes shall be public records, open to public inspection during business hours.

LAWS REPEALED.

Repeal.

SECTION 97. All acts and parts of acts inconsistent herewith are hereby repealed, and upon acceptance of this act by any city all ordinances of such city inconsistent herewith are hereby annulled.

WHEN TO TAKE EFFECT.

Time of taking effect.

SECTION 98. This act shall not apply to the city of Boston, but it shall take effect in any other city upon its acceptance by a majority vote of the members of each branch of the city council or corresponding body of that city, present and voting thereon, and upon the approval of the mayor. *Approved June 13, 1913.*

An Act to provide for the construction of a bridge over a part of Lake Quinsigamond between the city of Worcester and the town of Shrewsbury. *Chap.* 787

Be it enacted, etc., as follows:

Construction of bridge over Lake Quinsigamond, etc.

Section 1. The county commissioners of the county of Worcester are hereby authorized to construct a bridge over a part of Lake Quinsigamond between the city of Worcester and the town of Shrewsbury, subject, however, to the provisions of chapter ninety-six of the Revised Laws and acts in amendment thereof and in addition thereto and of all other general laws which may be applicable. Said county commissioners are further authorized to construct all necessary approaches to said bridge. All damages which may be sustained by any person in his property by the alterations of the grade of a public way to the same extent as damages are recoverable by abutters for alterations by towns in the grade of ways shall primarily be paid by said county of Worcester. If the parties interested cannot agree upon said damages any party may have the damages determined within the time and in the manner in which damages are determined for the alteration of the grade of public highways.

Damages.

Expense to be paid by county in first instance.

Section 2. The expense incurred under this act shall be paid in the first instance by the county of Worcester, and for the purposes aforesaid the said commissioners are hereby authorized to borrow on the credit of the county a sum not exceeding one hundred and fifty thousand dollars. Upon the completion of the bridge, the said commissioners shall file in the office of the clerk of courts for the said county a detailed statement, certified under their hands, of the actual cost of constructing the said bridge, and within three months after the filing of such statement, they shall, after such notice as they may deem proper and a hearing, apportion and assess upon the city of Worcester forty-five per cent, upon the town of Shrewsbury two per cent, and upon the Worcester Consolidated Street Railway Company twenty-five per cent of the cost of constructing the said bridge. The remainder of the cost shall be borne by the county of Worcester.

Apportionment of cost.

Payment of cost.

Section 3. The said commissioners shall file in the office of the clerk of courts for the said county a report of the apportionment, and the clerk shall forthwith transmit a true and attested copy thereof to the city of Worcester,

the town of Shrewsbury and the Worcester Consolidated Street Railway Company. Within thirty days thereafter the said city, the said town and the said street railway company shall each pay its part of said expense, determined as aforesaid, into the treasury of the county of Worcester. If the said city or the said town or said street railway company shall neglect or refuse to pay its proportion as aforesaid, the said commissioners shall, after notice to the city, town, or street railway company, issue a warrant against it for its proportion as aforesaid, with interest and the cost of the warrant, and the same shall be collected and paid into the treasury of the county to be applied in payment of the expense aforesaid.

Apportionment of cost of maintenance, etc.

SECTION 4. The cost of maintaining the said bridge and of keeping the same in repair shall be borne as follows: The Worcester Consolidated Street Railway Company shall at its own expense maintain its tracks and keep in repair the roadway between its rails and one and one half feet of the roadway outside of its rails. The remainder of the bridge shall be maintained and kept in repair by the city of Worcester.

Liability for defects, etc.

SECTION 5. The liability for defects in the bridge and its abutments shall be as follows: The said street railway company shall be liable for defects in that part of the roadway which it is required by the provisions of the preceding section to maintain and keep in repair. The city of Worcester shall be liable for all defects outside of the said area.

SECTION 6. This act shall take effect upon its passage.

Approved June 13, 1913.

Chap. 788 AN ACT RELATIVE TO LOANS OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

Interest on loans of the city of Boston.

SECTION 1. All loans issued by the city of Boston during the fiscal year ending on the thirty-first day of January, nineteen hundred and fourteen, shall bear such rates of interest, not exceeding four and one half per cent per annum, and the interest shall be payable at such times as the city auditor, the city treasurer and the mayor may determine.

Repeal.

SECTION 2. So much of any act as is inconsistent herewith is hereby repealed.

SECTION 3. This act shall take effect upon its passage.

Approved June 13, 1913.

An Act to authorize the metropolitan park commission to improve the channel of Sachem brook in the city of Quincy. *Chap.*789

Be it enacted, etc., as follows:

Improvement of channel of Sachem brook in city of Quincy.

Section 1. The metropolitan park commission is hereby authorized and directed to widen, deepen and maintain the channel and the entrance to the channel of Sachem brook, so-called, in Quincy bay in the city of Quincy. The said channel and the entrance thereto shall be at least twenty feet wide, with proper side slopes. For the purpose aforesaid, a sum not exceeding three hundred dollars may be paid out of the Metropolitan Parks Maintenance Fund.

Section 2. This act shall take effect upon its passage.

Approved June 13, 1913.

An Act to authorize the conveyance of the West Sutton cemetery to the town of Sutton. *Chap.*790

Be it enacted, etc., as follows:

Conveyance of West Sutton Cemetery to the town of Sutton.

Section 1. The West Sutton Cemetery Association is hereby authorized to convey by lease, deed or otherwise to the town of Sutton the cemetery known as the West Sutton Cemetery, together with all rights of said association therein.

Section 2. This act shall take effect upon its passage.

Approved June 13, 1913.

An Act relative to the salaries of assistant registers of probate and insolvency. *Chap.*791

Be it enacted, etc., as follows:

Salaries established.

Section 1. In the county of Suffolk the salaries of the assistant registers of probate and insolvency shall be three thousand dollars each, annually, in the county of Middlesex the salary of the first assistant register of probate and insolvency shall be three thousand dollars, annually, and in the county of Berkshire the salary of the assistant register of probate and insolvency shall be twelve hundred dollars.

Section 2. This act shall take effect upon its passage.

Approved June 13, 1913.

Chap. 792 AN ACT RELATIVE TO THE DEPARTMENT OF THE TAX COMMISSIONER.

Be it enacted, etc., as follows:

Second deputy tax commissioner, appointment, etc.

SECTION 1. The tax commissioner may, with the advice and consent of the governor and council, appoint and with their consent remove a second deputy commissioner to assist him in his duties, at a salary to be approved by the governor and council. In case of a vacancy in the office of commissioner and of deputy commissioner, or during the absence or disability of the said officers, the second deputy commissioner shall perform the duties of the office, and service of process made upon him shall be of the same force and effect as if made upon the commissioner or deputy commissioner.

Salaries of certain clerks and supervisors.

The salaries of the two permanent clerks and of the three supervisors of assessors provided for by section two of Part III of chapter four hundred and ninety of the acts of the year nineteen hundred and nine shall be fixed by the tax commissioner, with the approval of the governor and council.

SECTION 2. This act shall take effect upon its passage.

Approved June 13, 1913.

Chap. 793 AN ACT TO APPROVE THE PURCHASE BY THE UNITED STATES OF THE ISLAND IN BOSTON HARBOR KNOWN AS OUTER BREWSTER ISLAND, AND TO CEDE JURISDICTION OVER THE SAME TO THE NATIONAL GOVERNMENT.

Be it enacted, etc., as follows:

Certain land in Boston harbor may be purchased by the United States.

SECTION 1. The consent of the commonwealth of Massachusetts is hereby granted to the United States of America to purchase the island in Boston harbor known as Outer Brewster Island for purposes of national defence.

Jurisdiction.

SECTION 2. Jurisdiction over the said island is hereby granted and ceded to the United States: *provided,*

Proviso.

and the cession and consent aforesaid are granted upon the express condition, that the commonwealth shall retain concurrent jurisdiction with the United States in and over the island in so far that all civil processes, and such criminal processes as may issue under authority of the commonwealth against any person or persons charged with crimes committed without the said island, may be executed therein in the same manner as though this cession had not been made.

Section 3. This act shall be void unless a suitable plan or plans of the premises purchased by the United States under the provisions of this act shall be deposited in the office of the secretary of the commonwealth within one year after the passage of this act. Act to be void unless plan is filed, etc.

Section 4. This act shall take effect upon its passage.

Approved June 13, 1913.

An Act making appropriations for salaries and expenses in the department of the adjutant general and for sundry military expenses. *Chap.* 794

Be it enacted, etc., as follows:

Section 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, for salaries and expenses in the department of the adjutant general, and for sundry military expenses, for the fiscal year ending on the thirtieth day of November, nineteen hundred and thirteen, to wit: — Appropriations, adjutant general's department.

For the salary of the adjutant general, thirty-six hundred dollars. Adjutant general.

For the salary of the assistant adjutant general, eighteen hundred dollars. Assistant adjutant general.

For the salaries of four clerks in his department, seven thousand dollars. Clerks.

For the salary of a messenger in his department, eight hundred dollars. Messenger.

For additional clerical assistance, a sum not exceeding eighty-five hundred dollars. Additional assistance.

For incidental and contingent office expenses, including printing and binding the annual report, a sum not exceeding seven thousand dollars. Expenses.

For expenses in connection with military accounts not otherwise provided for, a sum not exceeding seven thousand dollars. Military accounts.

For compensation of officers and men of the volunteer militia, a sum not exceeding two hundred thousand dollars, and not exceeding fifteen thousand dollars of this sum may be expended in connection with military maneuvers. Compensation of volunteer militia.

For the transportation of officers and men of the volunteer militia, when on military duty, a sum not exceeding thirty-eight thousand dollars. Transportation.

For expenses in connection with the rifle practice of the militia, a sum not exceeding twenty-five thousand five hundred dollars. Rifle practice.

Purchase of uniforms.

For an allowance to commissioned officers of the volunteer militia towards the purchase of uniforms, a sum not exceeding eighteen thousand dollars.

Care, etc., of property.

For allowance to officers of the volunteer militia for the care and responsibility of property, a sum not exceeding sixty-four hundred and fifty dollars.

Repair, etc., of clothing.

For allowance and repair of clothing of the volunteer militia, a sum not exceeding thirteen thousand six hundred and seventy-two dollars.

Allowance to headquarters, etc.

For allowance to headquarters and companies, a sum not exceeding thirty-eight hundred and thirty dollars.

Company armorers.

For services of company armorers, a sum not exceeding twelve thousand five hundred dollars.

Care, etc., of United States ship.

For furnishing, repair and care of any United States ship loaned to the commonwealth of Massachusetts for the use of the naval militia, a sum not exceeding fifteen thousand dollars.

Instruction in riding.

For giving instruction in riding to non-commissioned officers and others who are required by law to be mounted, a sum not exceeding sixty-five hundred dollars.

Instruction in military art, etc.

For instruction in military authority, organization and administration and in the elements of military art, a sum not exceeding four thousand dollars.

Claims for injuries, etc., to horses.

For the payment of claims for death or injuries to horses used by the militia, a sum not exceeding twenty-five hundred dollars.

SECTION 2. This act shall take effect upon its passage.

Approved June 13, 1913.

Chap. 795 AN ACT RELATIVE TO THE FALSE STAMPING AND LABELLING OF RECEPTACLES CONTAINING ARTICLES OF FOOD.

Be it enacted, etc., as follows:

R. L. 75, § 24, etc., amended.

Section twenty-four of chapter seventy-five of the Revised Laws, as amended by chapter two hundred and thirty-six of the acts of the year nineteen hundred and five and by chapter three hundred and five of the acts of the year nineteen hundred and six, is hereby further amended by striking out the said section and inserting in place thereof the following: — *Section 24.*

Penalty for false stamping, etc., of receptacles containing articles of food.

Whoever falsely stamps or labels any cans, jars or other packages containing fruit or food of any kind, or permits such stamping or labelling, or, except as hereinafter provided, violates any of the provisions of

sections sixteen to twenty-seven, inclusive, shall be punished by a fine of not less than twenty-five nor more than five hundred dollars; and whoever knowingly sells such goods so falsely stamped or labeled shall be punished by a fine of not less than ten nor more than one hundred dollars.

Approved June 13, 1913.

An Act relative to departments for defective delinquents. *Chap.* 796

Be it enacted, etc., as follows:

Section 1. Chapter five hundred and ninety-five of the acts of the year nineteen hundred and eleven is hereby amended by striking out section five and inserting in place thereof the following: — *Section 5.* At the reformatory for women, the Massachusetts reformatory, the state farm or such other place or places as may be approved by the governor and council, there may be maintained departments to be termed departments for defective delinquents, for the custody of persons committed thereto under this act. All male persons committed under the provisions of this act shall be committed to the department for male defective delinquents. All women and girls committed under this act shall be committed to the department for defective delinquents for women. All persons committed to the departments for defective delinquents hereby established shall be and remain in the custody of the board of prison commissioners until discharged as hereinafter provided and all persons committed to the department for defective delinquents, if established at the state farm, shall be and remain in the custody of the trustees of the state farm until discharged as hereinafter provided.

1911, 595, § 5, amended.

Departments for defective delinquents may be established, etc.

Section 2. Section twelve of said chapter five hundred and ninety-five is hereby amended by inserting after the word "when", in the first line, the words: — any of, — so as to read as follows: — *Section 12.* This act shall take effect when any of the departments named in section five are ready for occupancy. The prison commissioners and the trustees of the state farm shall notify the governor when said departments are in a suitable condition to receive inmates; and the governor may then issue his proclamation establishing such departments as places for the custody of defective delinquents. *Approved June 13, 1913.*

1911, 595, § 12, amended.

Time of taking effect.

*Chap.*797 AN ACT RELATIVE TO THE PAYMENT BY THE COMMONWEALTH TO CITIES AND TOWNS OF CERTAIN EXPENSES INCURRED FOR SICK PERSONS.

Be it enacted, etc., as follows:

R. L. 85, § 15, etc., amended.

SECTION 1. Section fifteen of chapter eighty-five of the Revised Laws, as amended by chapter five hundred and fifty-five of the acts of the year nineteen hundred and eight, is hereby further amended by striking out the word "five", in the nineteenth line, and inserting in place thereof the word: — seven, — so as to read as follows: — *Section 15.* The reasonable expense which is incurred by a city or town under the provisions of the preceding section within five days next before notice has been given as therein required and also after the giving of such notice and until said sick person is able to be removed to the state hospital shall be reimbursed by the commonwealth. If the state board of charity considers it expedient to order the removal to the state hospital of a person whose physical condition is such as to require attendance, then the reasonable expense incurred for such attendance, as directed by the state board of charity, shall also be reimbursed by the commonwealth. The bills for such support shall not be allowed unless they are indorsed with the declaration that, after full investigation, no kindred able to pay the amount charged have been found, and that the amount has actually been paid from the city or town treasury, nor unless they are approved by the state board of charity or by a person designated by it; and not more than seven dollars a week shall be allowed for the support of a person in a city or town hospital.

Reimbursement to cities and towns for care of certain sick poor, etc.

Repeal.

SECTION 2. So much of any act as is inconsistent with this act is hereby repealed.

Time of taking effect.

SECTION 3. This act shall take effect on the first day of December, nineteen hundred and thirteen.

Approved June 13, 1913.

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*Chap.*798 AN ACT TO REVIVE THE CHARTER OF THE EGIDU COMPANY.

Be it enacted, etc., as follows:

Charter revived.

SECTION 1. Chapter two hundred and seventy-seven of the acts of the year nineteen hundred and thirteen in so far as it applies to or affects the Egidu Company is hereby

repealed, and the charter, organization and acts of that company shall remain of the same force and effect which they had at the time of the passage of said act.

Section 2. This act shall take effect upon its passage.

Approved June 13, 1913.

An Act to provide for the laying out, widening, extension and construction of Washington street in the West Roxbury district of the city of Boston. *Chap.* 799

Be it enacted, etc., as follows:

Laying out and construction, etc., of Washington street in West Roxbury.

Section 1. The board of street commissioners of the city of Boston, with the approval of the mayor and city council, may within two years after the acceptance of this act lay out, widen, extend and construct Washington street from Lagrange street in that part of said city known as West Roxbury to the junction of Washington street and Hyde Park avenue in that part of West Roxbury called Forest Hills Square, at such width as said board of street commissioners may fix and determine; and said board of street commissioners is hereby authorized to take so much of the park land bordering on Washington street as is necessary for the laying out of said street.

To be made in accordance with certain provisions of law.

Section 2. The said laying out, widening, extension and construction and the assessment of betterments therefor shall be made in accordance with the provisions of chapter three hundred and ninety-three of the acts of the year nineteen hundred and six and all acts supplementary thereto and amendatory thereof.

Issue and sale of bonds, etc.

Section 3. The treasurer of the city of Boston, to pay the expenses incurred for such laying out, widening, extension and construction, shall from time to time issue and sell negotiable bonds of the city to an amount not exceeding five hundred thousand dollars; and shall hold the proceeds of said bonds in the treasury of the city and pay therefrom the expenses as aforesaid. Said amount may, if the city council shall so determine, be borrowed outside of the statutory limit of indebtedness of the city.

Use of money received for betterments.

Section 4. All betterments received under this act shall be used, in the first instance, for the payment of the interest on the bonds issued for the cost of the laying out, widening, extension and construction of said street, and thereafter for the retirement of said bonds.

Time of taking effect.

SECTION 5. This act shall take effect upon its acceptance by the city council of said city, with the approval of the mayor. *Approved June 13, 1913.*

Chap. 800 AN ACT RELATIVE TO PENSIONING MEMBERS OF THE FIRE DEPARTMENT OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

Retirement of certain members of the fire department of the city of Boston.

SECTION 1. Any member of the fire department of the city of Boston who has performed service in that department for a period of not less than twenty-five years and who has reached the age of fifty-five years shall, upon his own petition to the fire commissioner, be retired and placed upon the pension roll.

Pensions.

SECTION 2. The amount of the annual pension or compensation allowed to any member under the provisions of this act shall be one half of the amount of annual compensation received by him at the time of his retirement, the same to be paid by the city of Boston.

Not to repeal existing acts.

SECTION 3. The provisions of this act shall be in addition to and not in repeal of any act now in force relative to pensioning members of the said department.

Time of taking effect.

SECTION 4. This act shall take effect upon its acceptance by the city council of the city of Boston.

Approved June 13, 1913.

Chap. 801 AN ACT TO ESTABLISH TOLERANCES IN THE SALE OF COMMODITIES BY WEIGHT.

Be it enacted, etc., as follows:

R. L. 62, § 39, etc., amended.

Section thirty-nine of chapter sixty-two of the Revised Laws, as amended by chapter one hundred and sixty-four of the acts of the year nineteen hundred and thirteen, is hereby further amended by adding at the end thereof the words: — *provided, however,* that in respect to commodities not intended for food or fuel reasonable tolerances or variations shall be permitted in accordance with established trade customs, — so as to read as follows: — *Section 39.* If commodities are sold by weight, it shall be understood to mean the net weight of all commodities so sold; and all contracts concerning goods sold by weight shall be understood and construed accordingly: *provided, however,* that in respect

Sale of commodities by weight.

Proviso.

to commodities not intended for food or fuel reasonable tolerances or variations shall be permitted in accordance with established trade customs. *Approved June 14, 1913.*

An Act relative to the rate of interest to be paid upon certain bonds of the city of Woburn. *Chap.* 802

Be it enacted, etc., as follows:

Section 1. Section one of chapter three hundred and eighty-two of the acts of the year nineteen hundred and ten is hereby amended by inserting after the word "four", in the twelfth line, the words: — and one half, — so as to read as follows: — *Section 1.* The city of Woburn, for the purpose of constructing, laying, maintaining, operating and repairing such conduits and pipes as belong to its present water system, may issue from time to time, notes, bonds or scrip to an amount not exceeding one hundred thousand dollars, in addition to the amount heretofore authorized by law to be issued by the town or city of Woburn for water works purposes. Such bonds, notes or scrip shall bear on their face the words, Woburn Water Loan, Act of 1910; shall be payable at the expiration of periods not exceeding twenty years from the dates of issue; shall bear interest payable semi-annually at a rate not exceeding four and one half per cent per annum; and shall be signed by the treasurer and countersigned by the mayor of the city. The city may sell such securities at public or private sale, or may pledge the same for money borrowed for the purpose of this act, upon such terms and conditions as it may deem proper: *provided,* that the said securities shall not be sold for less than their par value.

1910, 382, § 1, amended.

Woburn Water Loan, Act of 1910.

Proviso.

Section 2. This act shall take effect upon its passage. *Approved June 14, 1913.*

An Act relative to the operation of traction engines, motors and other vehicles upon highways and bridges. *Chap.* 803

Be it enacted, etc., as follows:

Section 1. No traction engine, trailer, motor or other vehicle shall be operated upon or over a highway or bridge in any city or town in this commonwealth, nor shall any object be moved over or upon any such highway or bridge,

Operation of traction engines and other vehicles upon highways and bridges regulated.

upon wheels, rollers or otherwise, in excess of a total weight of fourteen tons, including vehicle, object or contrivance and load, without first obtaining the permit mentioned in section three of this act from the authority or authorities therein mentioned; nor shall any vehicle be operated or contrivance moved upon or over said highways or bridges which has any flange, ribs, clamps or other object attached to its wheels or made a part thereof, which will injure, cut into or destroy the surface of the highway or bridge for any considerable depth; and in the towns of the commonwealth outside of the metropolitan parks or sewerage districts no such engine, vehicle, object or contrivance for moving heavy loads shall be operated or moved upon or over any such highway or bridge the weight of which resting upon the surface of said highway or bridge exceeds eight hundred pounds upon any inch in width of the tire, roller, wheel or other object, without first obtaining said permit, unless such highway or bridge is paved with brick, block, sheet asphalt, concrete pavement or surface. The owner, driver, operator or mover of any such engine, vehicle, object or contrivance over said highway or bridge shall, unless relieved from liability in said permit, be responsible for all damages which said highway or bridge may sustain as a result of said action on his part, and the amount thereof may be recovered in an action of tort by the authority or authorities in charge of the maintenance or care of said highway or bridge, or by the authorities of the town, the Massachusetts highway commission, or the county commissioners which have charge of the highway or bridge which is injured.

Liability for damages.

Speed at which certain vehicles may be operated, etc.

SECTION 2. No steam traction engine, with or without trailers, and no motor truck carrying a weight in excess of four tons, including the vehicle, shall be operated upon any highway or bridge in this commonwealth at a speed greater than fifteen miles an hour; and no such vehicle carrying a weight in excess of six tons, including the vehicle, shall be operated upon any such highway or bridge at a speed greater than six miles an hour when such vehicle is equipped with iron or steel tires, nor greater than twelve miles an hour when the vehicle is equipped with tires of hard rubber or other similar substance.

Granting of permits for operation of certain vehicles.

SECTION 3. The Massachusetts highway commission, county commissioners, superintendents of the streets, selectmen, or road authorities having charge of the repair

and maintenance of any highway or bridge in any of the towns in the commonwealth are hereby authorized, upon proper application in writing, to grant permits for the moving of heavy vehicles, loads, objects or structures in excess of a total weight of fourteen tons, over said highways or bridges, and for operating or moving over any highway or bridge in any town in the commonwealth outside of the metropolitan parks or sewerage districts, any engine, vehicle, object, or contrivance, the weight of which resting upon the surface of said highway or bridge exceeds eight hundred pounds upon any inch in width of tire, roller, wheel, or other object, which permits when duly granted shall authorize such movement. Said permits may be general or may limit the time and the particular roads and bridges which may be used, and may contain any special conditions or provisions which in the opinion of the authorities granting the same are necessary for the protection of said highways or bridges from injury. The authorities that have charge of any such bridge are hereby authorized to make regulations limiting the speed of any of the vehicles mentioned in this act passing over said bridge to a speed not to exceed six miles an hour, provided that notice is conspicuously posted at each end of the bridge affected by such regulation and the load capacity of the bridge is stated therein.

Penalty.

Section 4. Any person violating the provisions of this act or the regulations made or permits granted under authority thereof shall be liable to a fine of not more than one hundred dollars for each and every offence, and said fines shall be paid into the treasury of the commonwealth for use on state highways or bridges when state highways or bridges are injured, and into the treasury of the city, town or county when any highway or bridge is injured which is under the care of said city, town or county, for use on the highways of said city, town or county in addition to any other moneys that may be available for that purpose.

Certain provisions, liabilities, etc., not affected.

Section 5. Nothing in this act shall affect the provisions of section thirty-one of chapter fifty-two of the Revised Laws or shall authorize the passage of heavier vehicles or loads over bridges and highways than are now authorized by law, or in any way change or increase the liability of the commonwealth or of any county, city or town to pay for any damage or injury to any person or property.

Approved June 14, 1913.

Chap. 804 AN ACT RELATIVE TO THE SCHOOL COMMITTEE OF THE CITY OF CAMBRIDGE.

Be it enacted, etc., as follows:

1891, 364, § 31, etc., amended.

SECTION 1. Section thirty-one of chapter three hundred and sixty-four of the acts of the year eighteen hundred and ninety-one, as amended by section two of chapter five hundred and sixty-six of the acts of the year nineteen hundred and seven, and by section one of chapter three hundred and sixty-two of the acts of the year nineteen hundred and eight, and by section one of chapter three hundred and ninety-five of the acts of the year nineteen hundred and nine, is hereby further amended by striking out the said section and inserting in place thereof the following: — *Section 31.* The school committee and overseers of the poor shall respectively perform all those duties which the school committee and overseers of the poor in towns are required by law to perform. The school committee shall annually appropriate money for the maintenance of the schools and school buildings and for the salaries of all teachers and other employees including janitors of school buildings, employed by them: *provided, however,* that the words "maintenance of school buildings" shall not include the restoration of a school building when damaged or destroyed by fire, explosion or other unavoidable casualty. The total amount thus to be appropriated for the aforesaid purposes in addition to the money which may be given therefor, the income collected, the balance of appropriations of preceding years, and the money which may be authorized by acts of the general court passed prior to the year nineteen hundred and thirteen and not repealed, shall not exceed the following sums for the period specified: — For the financial year ending on the thirty-first day of March, nineteen hundred and fourteen, five dollars and twenty-five cents; for the financial year ending on the thirty-first day of March, nineteen hundred and fifteen, five dollars and fifty cents; for the financial year ending on the thirty-first day of March, nineteen hundred and sixteen, five dollars and seventy-five cents, and for each financial year thereafter six dollars on each one thousand dollars of taxable property of the city, to be estimated by taking the average amount of taxable property during the three preceding years. The school committee shall appoint a superintendent of schools

Duties of school committee and overseers of the poor.

Proviso.

and shall elect the teachers of the public schools as provided by section thirty-two of chapter forty-two of the Revised Laws. It shall approve the situation and plans of all school buildings. It shall have entire charge of the buildings used for school purposes and shall have authority to appoint and remove, under the laws regulating the civil service, the janitors and other persons employed therein. It shall have entire control of the expenditure of moneys devoted to the maintenance of schools. The overseers of the poor shall, annually on the first Monday of May, meet and organize, and choose such subordinate officers and agents as they may deem expedient, and define their duties and fix their salaries; but no member of the board shall be eligible to be chosen by the board to any position of emolument.

Purpose for which amounts shall be expended.

Section 2. The additional amounts authorized to be expended by the provisions of this act shall be expended by the school committee for the purpose of increasing the compensation of the teachers in the public schools of the city.

Act to be submitted to voters for acceptance.

Section 3. This act shall not be operative unless accepted by a majority of the voters of the city of Cambridge voting thereon at the next state election. *Approved June 14, 1913.*

An Act relative to the establishment and maintenance of continuation schools and courses of instruction for working children. *Chap.* 805

Be it enacted, etc., as follows:

Attendance of certain minors at continuation schools and courses of instruction.

Section 1. When the school committee of any city or town shall have established continuation schools or courses of instruction for the education of minors between fourteen and sixteen years of age who are regularly employed in such city or town not less than six hours per day, such school committee may, with the consent of the board of education, require the attendance in such continuation schools or on such courses of instruction of every such minor thereafter receiving an employment certificate and who is not otherwise receiving instruction approved by the school committee as equivalent to that provided in schools established under the provisions of this act. The required attendance provided for in this act shall be at the rate of not less than four hours per week and shall be between the hours of eight o'clock in the morning and six o'clock in the after-

noon of any working day or days. The time spent by a child in a continuation school or class shall be reckoned as a part of the time or number of hours that minors are permitted by law to work.

Approved continuation schools, etc.

Section 2. Continuation schools or courses of instruction as provided in section one of this act, shall, so long as they are approved by the board of education as to organization, control, location, equipment, courses of study, qualifications of teachers, methods of instruction, conditions of admission, employment of pupils and expenditure of the money, constitute approved continuation schools or courses of instruction. Cities and towns maintaining such approved continuation schools or courses of instruction shall receive reimbursement from the commonwealth, as provided in section three of this act.

Maintenance, etc.

Section 3. The commonwealth, in order to aid in the maintenance of approved continuation schools or courses, shall as provided in this act pay annually from the treasury to cities and towns maintaining such schools or courses an amount equal to one half of the sum to be known as the net maintenance sum. Such net maintenance sum shall consist of the total sum raised by local taxation and expended for the maintenance of such a school, less the amount, for the same period, of tuition claims paid or unpaid and receipts from the work of pupils or the sale of products.

Attendance of resident minors employed in another city or town.

Section 4. When the school committee of any city or town shall have established a continuation school or courses of instruction as provided in section one of this act, the said school committee may require the attendance, as provided in section one of this act, in such continuation school or on such courses of instruction of all minors between fourteen and sixteen years of age residing in said city or town who are regularly employed in another city or town: *provided*, that the city or town in which such minors are employed does not maintain and require attendance at a continuation school or courses of instruction as defined in section one of this act.

Proviso.

Same subject.

Section 5. Any minor between fourteen and sixteen years of age who is regularly employed in a city or town other than that in which the said minor resides may attend a continuation school or courses of instruction, as provided in section one of this act, in the city or town in which such minor resides. Any minor attending a continuation school

or courses of instruction, as hereinbefore described, in the city or town of his residence in preference to attending such school or courses of instruction in the city or town of his employment, shall file or cause to be filed regularly, at least once a month, with the superintendent, or his representative duly authorized in writing, of the city or town in which such minor is employed, a report of attendance certified by the superintendent, or his representative duly authorized in writing, of the city or town in which such minor is attending school: *provided, however,* that the filing of such certified report of attendance with the superintendent of a city or town in which attendance at continuation schools or courses of instruction as defined in section one of this act is not compulsory shall not be required.

Report of attendance to be filed, etc.

Proviso.

Section 6. The employer of any minor between fourteen and sixteen years of age who is compelled by the provisions and regulations either of the school committee in the city or town in which such minor resides or of the school committee in the city or town in which such minor is employed to attend a continuation school or courses of instruction as defined in section one of this act, shall cease forthwith to employ such minor when notified in writing by the superintendent or his representative duly authorized in writing, having jurisdiction over such minor's school attendance, that such minor is not attending school in accordance with the compulsory attendance regulations as defined in section one of this act. Any employer who fails to comply with the provisions of this section shall be punished by a fine of not less than ten nor more than one hundred dollars for each offence.

Employment of minor shall cease in case of non-attendance, etc.

Penalty.

Section 7. The superintendent of schools having jurisdiction, or a person authorized by him in writing, may revoke the age and schooling or employment certificate of any minor who is required by the provisions of this act to attend a continuation school or courses, if such minor fails to attend such school or courses as provided by this act.

Certificates may be revoked for non-attendance.

Section 8. This act shall take effect on the first day of September, nineteen hundred and thirteen.

Time of taking effect.

Approved June 16, 1913.

Chap. 806 AN ACT RELATIVE TO THE INSTALLATION, ALTERATION AND INSPECTION OF ELEVATORS AND TO THE APPOINTMENT OF A BOARD OF ELEVATOR REGULATIONS.

Be it enacted, etc., as follows:

Installation and inspection of elevators.

SECTION 1. In cities and towns not having a building department or an inspector of buildings, the installation and alteration of all elevators shall be under the supervision of the inspectors of the building inspection department of the district police. In cities and towns having an inspector of buildings or a person acting as such, the installation and alteration of all elevators shall be under the supervision of such inspector. No elevator shall hereafter be installed or altered until a copy of the plans and specifications of such elevator or of the proposed alterations shall have been filed by the owner of the premises where the elevator is to be installed or altered, or by the manufacturer of the elevator, with the inspector having jurisdiction, and a certificate of approval or a specification of requirements shall have been issued by him.

Practical test of safety devices to be made.

SECTION 2. On completion of the work of installation or alteration, the manufacturer of the elevator or the person making the alterations shall make a practical test of the safety devices of the elevator in the presence of the inspector, and if the test is satisfactory to the inspector, he shall issue a certificate approving the elevator and safety devices thereof.

Report of inspection.

SECTION 3. All elevators shall be thoroughly inspected and a practical test made of the safety devices required therefor at intervals of not more than one year, and at such other times as may be deemed necessary by the inspector having jurisdiction thereof. Within ten days after the inspection, the inspector shall report the result thereof to the chief of the district police, upon forms to be furnished by him. This requirement for the making of inspection reports shall not apply to the city of Boston.

Certificate of safe condition to be posted in elevator.

SECTION 4. If, in the judgment of any inspector having jurisdiction thereof, an elevator is safe, and if the elevator has been constructed in the manner required by law or by regulations made by the board of elevator regulations as hereinafter provided, the inspector shall issue a certificate to that effect to the owner of the elevator, or to the person in charge thereof, and the owner of the elevator or the person in charge thereof shall post the certificate in a con-

spicuous place in or near the cab or car of such elevator. If in the judgment of the inspector, the elevator is unsafe or dangerous to use, or has not been constructed in the manner required by law or by the regulations made by the board of elevator regulations as hereinafter provided, the inspector shall immediately post conspicuously upon the entrance or door of the cab or car of such elevator, or upon the elevator, a notice of its dangerous condition, and shall prohibit the use of the elevator until it has been made safe to the inspector's satisfaction. No person shall remove such notice or operate such elevator until the inspector has issued his certificate as aforesaid. Notice of unsafe condition, etc.

Section 5. Any owner, operator or person in charge of an elevator, or any person employed by any firm, corporation, or individual to inspect an elevator shall, if he thinks such elevator is unsafe, report the fact in writing to the inspector having jurisdiction thereof who shall forthwith inspect such elevator. If any accident occurs to an elevator, the operator, person in charge or owner having knowledge thereof shall immediately report such accident to the inspector having jurisdiction who shall forthwith inspect such elevator. Report of accidents, etc.

Section 6. Within one month after the passage of this act the governor, with the advice and consent of the council, shall appoint a board, to be called the Board of Elevator Regulations. The said board shall frame regulations relating to the construction, installation, alteration and operation of all elevators, now installed or to be installed, and relative to the location, design and construction of shafts or enclosures for elevators, safety devices, gates and other safeguards, protection against the elevator or hoisting machinery, and means to prevent the spread of fire, and also such regulations as will make uniform the work of the inspectors of the building inspection department of the district police and of inspectors of buildings throughout the commonwealth. Board of Elevator Regulations, appointment, duties, etc.

Section 7. The board of elevator regulations shall be composed of seven members, one of whom shall be a consulting engineer who shall act as chairman, one an inspector of the building inspection department of the district police, one the building commissioner of the city of Boston, one an inspector of buildings of some other city in the commonwealth, one a representative of a liability insurance company licensed to write such insurance in the commonwealth, one Membership.

Regulations.

a representative of an elevator manufacturer, and one an experienced elevator constructor. The said board shall, within three months after its members are appointed, draft regulations as aforesaid, and submit the same to the governor and council for their approval. Within sixty days after such regulations have been submitted to the governor and council, they shall approve the same with such alterations and amendments and after such public hearings as they may deem proper, and the regulations, so altered and amended, shall then be referred by the governor to the chief of the district police, who shall furnish upon application a printed copy of the regulations to all manufacturers of elevators operating in the commonwealth, and to all inspectors of buildings in the cities and towns of the commonwealth, and to all others who are concerned. It shall be the duty of the inspectors of the building inspection department of the district police and the department of buildings or inspectors of buildings of cities and towns to see that the said regulations are complied with.

Enforcement of regulations.

Board to be dissolved upon approval of regulations.

Section 8. The board of elevator regulations shall serve without compensation and shall be dissolved upon the approval, by the governor and council, of the regulations made as above provided.

Proceedings upon petition for alteration, etc., of rules and regulations.

Section 9. Any person engaged in the inspection, alteration, construction, repair or operation of elevators may, from time to time, hereafter by petition in writing to the governor and council request that rules and regulations established under this act be altered or amended. The governor may grant public hearings before the governor and council upon such petition, and if he deems it advisable may appoint a new board of elevator regulations to consist of seven members as provided in section seven of this act. Such board shall, within three months after its appointment, draft such alterations or amendments as they deem advisable and submit the same to the governor and council for their approval as provided in section seven. Upon the approval by the governor and council of such alterations or amendments, they shall become part of the rules and regulations pertaining to elevators and shall have the same force and effect as the other rules and regulations established under section seven. The board established under this section shall, upon such approval by the governor and council be dissolved.

Section 10. For the purpose of carrying out the provisions of this act, the board of elevator regulations may expend such sum, not exceeding fifteen hundred dollars, as shall be approved by the governor and council. Expenditure.

Section 11. Whoever is aggrieved by the order, requirement, or direction of an inspector of buildings of a city or town except in the city of Boston, may, within ten days after the service thereof, appeal to a judge of the superior court for the county in which the building to which such order, requirement or direction relates is situated, for an order forbidding its enforcement; and after such notice as said court shall order to all parties interested, a hearing may be had before said court at such early and convenient time and place as shall be fixed by said order; or the court may appoint three disinterested persons, skilled in the subject-matter of the controversy, to examine the matter and hear the parties; and the decision of said court, or the decision, in writing and under oath, of the majority of said experts, filed in the office of the clerk of courts in said county within ten days after such hearing, may alter, annul or affirm such order, requirement or direction. Such decision or a certified copy thereof shall have the same authority, force and effect as the original order, requirement or direction of the inspector. If such decision annuls or alters such order, requirement or direction of the inspector, the court shall also order the said inspector not to enforce his order, requirement or direction, and in every such case the certificate required by this act to be issued by the inspector shall thereupon be issued by said court or by said experts. Persons aggrieved may appeal to judge of superior court, etc.

Section 12. Any person, firm or corporation violating or failing to comply with any provision of this act, or of any regulation established hereunder shall be punished by a fine of not more than five hundred dollars for every such offence, subject, however, to the right of appeal as provided in section eleven of this act except that in the city of Boston the right of appeal shall be the same as that provided by section seven of chapter five hundred and fifty of the acts of the year nineteen hundred and seven. Penalty.

Section 13. Sections twenty-seven and twenty-eight of chapter one hundred and four of the Revised Laws, sections seventy-four and ninety-six, in so far as such sections relate to elevators, of chapter five hundred and fourteen of the acts of the year nineteen hundred and nine, chapter Repeal.

four hundred and fifty-five of the acts of the year nineteen hundred and eleven, and chapter three hundred and eighteen of the acts of the year nineteen hundred and twelve, in so far as such chapter relates to elevators, and chapter four hundred and seventy-nine of the acts of the year nineteen hundred and twelve, and all acts and parts of acts inconsistent herewith are hereby repealed.

Time of taking effect.

SECTION 14. Sections six, seven, eight and ten of this act which relate to the appointment, duties and expenses of the board of elevator regulations shall take effect upon its passage, and the remainder of this act shall take effect thirty days after the approval by the governor and council of the regulations framed by the board of elevator regulations.

Approved June 16, 1913.

Chap. 807 AN ACT TO PROVIDE FOR COMPENSATING CERTAIN PUBLIC EMPLOYEES FOR INJURIES SUSTAINED IN THE COURSE OF THEIR EMPLOYMENT.

Be it enacted, etc., as follows:

Compensation of certain public employees for injuries, etc.

SECTION 1. The commonwealth shall and any county, city, or town, or district having the power of taxation, may pay the compensation provided by Part II of chapter seven hundred and fifty-one of the acts of the year nineteen hundred and eleven and acts in amendment thereof and in addition thereto to such laborers, workmen and mechanics employed by it as receive injuries arising out of and in the course of their employment, or, in case of death resulting from any such injury, may pay compensation as provided in sections six, seven and eight of said Part II, and in any amendments thereof, to the persons thereto entitled.

Procedure and jurisdiction, etc.

SECTION 2. Procedure under this act and the jurisdiction of the industrial accident board shall be the same as under the provisions of said chapter seven hundred and fifty-one, and the commonwealth or a county, city, town or district which accepts the provisions of this act shall have the same rights in proceedings under said chapter as the association thereby created. The treasurer and receiver general, or the treasurer or officer having similar duties of a county, city, town or district which accepts the provisions of this act, shall pay any compensation awarded for injury to any person in its employment upon proper vouchers without any further authority.

Section 3. Counties, cities, towns, and districts having the power of taxation, may accept the provisions of this act by vote of a majority of those legal voters who vote on the question of its acceptance at an annual meeting or election as hereinafter provided. In towns and districts which have an annual meeting of the legal voters, this act shall be submitted for acceptance to the voters of the town or district at the next annual meeting after its passage. In cities, and in towns which do not have annual meetings, this act shall be submitted to the voters at the next municipal election, and in counties and in districts which do not have an annual meeting, at the next state election after its passage. Act to be submitted to voters for acceptance, etc.

At every such election, and at every annual meeting where ballots are used, the following question shall be printed on the ballot: "Shall chapter of the acts of nineteen hundred and thirteen, being an act to provide for compensating laborers, workmen and mechanics for injuries sustained in public employment, and to exempt from legal liability counties and municipal corporations which pay such compensation, be accepted by the inhabitants of this (county, city, town, water district, fire district, etc.) of ?"

YES.	
NO.	

Question to be printed upon ballot.

The vote shall be canvassed by the county commissioners, city council or commission, or selectmen, or, in the case of a district, by the district commissioners or other governing board of the district. A notice stating the result of the vote shall be posted in the county court house, or city or town hall, or, in the case of a district, in the public building where the employees of the district are paid. Except as provided in section four, a county, city, town or district which accepts the provisions of this act shall not be liable in any action for a personal injury sustained by a laborer, workman or mechanic in the course of his employment by such county, city, town or district, or for death resulting from such injury. Liability for injuries.

Section 4. A laborer, workman or mechanic entering or remaining in the service of a county, city, town or district, who would, if injured, have a right of action against the county, city, town or district by existing law, may, if the county, city, town or district has accepted the provisions of this act before he enters its service, or accepts them afterward, claim or waive his right of action as provided in section five of Part I of said chapter seven hundred and fifty-one, and shall be deemed to have waived such right of action Waiver of right of action, etc.

unless he claims it. Section four of said Part I shall apply to actions by laborers, workmen or mechanics employed by a county, city, town or district which accepts the provisions of this act.

Persons not to receive both pension and compensation for same injury, etc.

Section 5. Any person entitled to receive from the commonwealth or from a county, city, town or district the compensation provided by Part II of said chapter seven hundred and fifty-one, who is also entitled to a pension by reason of the same injury, shall elect whether he will receive such compensation or such pension, and shall not receive both. In case a person entitled to such compensation from the commonwealth or from a county, city, town or district receives by special act a pension for the same injury, he shall forfeit all claim for compensation, and any compensation received by him or paid by the commonwealth or by the county, city, town or district which employs him for medical or hospital services rendered to him may be recovered back in an action at law. No further payment shall be awarded by vote or otherwise to any person who has claimed and received compensation under this act.

To whom this act shall apply.

Section 6. This act shall apply to all laborers, workmen and mechanics in the service of the commonwealth or of a county, city or town, or district having the power of taxation, under any employment or contract of hire, expressed or implied, oral or written, including those employed in work done in performance of governmental duties as well as those employed in municipal enterprises conducted for gain or profit. For the purposes of this act all laborers, workmen and mechanics paid by the commonwealth, but serving under boards or commissions exercising powers within defined districts, shall be deemed to be in the service of the commonwealth.

To whom 1911, 751, etc., shall not apply.

Section 7. The provisions of chapter seven hundred and fifty-one of the acts of the year nineteen hundred and eleven, and acts in amendment thereof and in addition thereto shall not apply to any persons other than laborers, workmen and mechanics employed by counties, cities, towns, or districts having the power of taxation.

Section 8. This act shall take effect upon its passage.

Approved June 16, 1913.

An Act to re-incorporate the Berkshire and Canaan Street Railway Company. *Chap.* 808

Be it enacted, etc., as follows:

Berkshire and Canaan Street Railway Company incorporated.

Section 1. Henry D. Sisson, Hildreth K. Bloodgood, Edwin Wheeler, Ralph I. Rhodes, Michael Cagney, their associates and successors, are hereby made a corporation under the name of the Berkshire and Canaan Street Railway Company, with all the powers and privileges, and subject to all the duties, conditions and restrictions set forth in all general laws now or hereafter in force relating to street railway companies.

Location and construction of railway, etc.

Section 2. Said company may locate, construct, maintain and operate its railway, with a single or double track, in such manner as may be convenient and necessary, and as may be approved by the board of railroad commissioners, in part upon private land acquired by purchase or lease, and upon streets, highways or state roads in the town of New Marlborough, subject to general law. The location of said railway outside the public streets and highways shall not exceed fifty feet in width, unless an additional width is approved by said board, with convenient turn-outs and switches. The most northerly terminus of said railway shall be the north boundary line of New Marlborough on the western shore of Lake Buell, the said railway thence running southerly in the general direction of the Konkapot river, branching to the village of Hartsville, New Marlborough, Southfield, and through the village of Mill River to the village of Clayton, all of which villages are in said town, connecting at the village of Clayton on the Massachusetts and Connecticut state line with a street railway of the same name in the town of Canaan, chartered by the legislature of the state of Connecticut.

May acquire real estate, erect poles, etc.

Section 3. Said company may maintain and operate its railway by any motive power other than steam; may erect and maintain poles and wires on private lands purchased or leased for the purposes of said railway, and, with the consent of the selectmen, may erect such poles and wires and make such excavations in the streets and highways as may be necessary to establish and maintain such motive power, subject to the approval of the board of railroad commissioners. Said company may acquire by purchase or lease all real estate and water power required for its power

station, tracks, poles, wires, car houses and other uses incident to the proper maintenance and operation of its railway.

Capital stock.

SECTION 4. The capital stock of said company shall not exceed one hundred thousand dollars; but the company may increase its capital stock, subject to the provisions of the general laws relative thereto.

Issue of bonds, etc.

SECTION 5. Said company, in order to meet the expenses incurred under this act, may issue bonds not exceeding the amount of its capital stock, and payable within a period not exceeding thirty years from the date thereof, secured by mortgage of its franchise and property, subject to the general laws relative thereto, and in such mortgage may reserve to its directors the right to sell or otherwise in due course of business to dispose of property included therein which may become unsuitable for use, provided that an equivalent in value is substituted.

Limit of time for construction.

SECTION 6. The authority herein granted shall cease if the proposed road is not constructed and put in operation within three years after the passage of this act.

SECTION 7. This act shall take effect upon its passage.

Approved June 16, 1913.

Chap. 809 AN ACT TO PROVIDE FOR A COMMISSION TO INVESTIGATE THE REGULATIONS NOW IN FORCE THROUGHOUT THE COMMONWEALTH RELATIVE TO THE CONSTRUCTION, ALTERATION AND MAINTENANCE OF BUILDINGS.

Be it enacted, etc., as follows:

Building commission for the commonwealth, appointment, duties, etc.

SECTION 1. A commission of five persons shall be appointed by the governor, with the advice and consent of the council, to investigate the various statutes, ordinances, by-laws and regulations now in force throughout the commonwealth and the various cities and towns thereof, relative to the construction, alteration and maintenance of buildings, with the view of establishing uniformity in general requirements and of determining what regulations for the purposes aforesaid may be adopted either for the state as a whole, or under a classification of cities and towns, so that general regulations may be made for each class. The commission shall report to the general court on or before the first day of February, nineteen hundred and fourteen, and shall, as a part of its report, draft an act containing such general regulations for the construction, alteration and maintenance

of buildings as it may recommend. The act may include, if the commission finds it desirable, a provision for a permanent board or commission to supervise the administration of building laws and regulations throughout the commonwealth, and to advise the local authorities when modifications of building laws and regulations become desirable. The commission shall serve without compensation for the services of its members but may expend for such necessary expenses as may be approved by the governor and council a sum not exceeding twenty-five hundred dollars.

Section 2. This act shall take effect upon its passsage.

Approved June 16, 1913.

An Act relative to the Boylston street subway. *Chap.* 810

Be it enacted, etc., as follows:

Investigation and report to be made as to alteration of route of Boylston street subway.

Section 1. The Boston transit commission, hereinafter called the commission, is hereby authorized and directed to investigate and report to the next general court whether or not, in view of the traffic to be served and the additional expense involved, it is desirable to alter the route of the Boylston street subway, as defined in chapter seven hundred and forty-one of the acts of the year nineteen hundred and eleven, by abandoning the construction of that part of the Boylston street subway between Boylston street and Park street, in the city of Boston, and in place thereof extending said subway through Boylston street to Washington street, and from Washington street by some route to Post Office square, providing for an exchange of traffic with the Tremont street subway at or near the corner of Tremont and Boylston streets, with the Washington street tunnel at or near the corner of Boylston street and Washington street, and with the Dorchester tunnel at some convenient point. In case the commission is of the opinion that it is desirable to alter the route of the Boylston street subway, it is requested to state in its report the precise route which it would recommend and the additional expense involved, and to submit with its report a draft of a bill embodying such legislation as may be necessary to carry out its recommendations. The cost of the above investigation and report shall be deemed a part of the cost of the Boylston street subway.

Certain construction to be suspended

Section 2. Until the report required by the preceding section shall have been made and acted upon by the general

until report shall have been made.

court the Boston transit commission shall suspend the construction of that part of the Boylston street subway between Boylston street and Park street, and also so much of the Boylston street subway westward of Tremont street as might, in the judgment of the commission, be affected if the route of the subway should be altered as provided in section one.

Construction which shall be continued.

The commission shall proceed with the construction of the remainder of the Boylston street subway and shall connect it with the present Tremont street subway at such point in the vicinity of Park square as, in the judgment of the commission, may be convenient for that purpose; and upon its completion and connection, and after a reasonable time for equipment, the said part of the Boylston street subway shall be opened for operation without waiting for the construction of the remainder; and so much of the rental payable by the Boston Elevated Railway Company under its contract, dated December 7, 1911, as represents four and one half per cent of the net cost of that part of the Boylston street subway which has been completed, shall begin to accrue as soon as the use of that part of the Boylston street subway begins.

Rental.

Construction of new incline, etc., in Boylston street.

Section 3. The commission may construct in Boylston street between Arlington street and Charles street a new incline and approach to the Tremont street subway to take the place of the present incline and approach in the Public Garden, and may connect such incline and approach with the present Tremont street subway at such point in the vicinity of Park square as it may deem expedient. Upon the construction of such new incline, the present incline and approach in the Public Garden shall be abandoned, and the excavation therein shall be filled up and the new incline and approach shall be deemed to be to all intents and purposes a part of the Tremont street subway.

Part of Boylston street may be widened.

In order to provide for traffic in Boylston street, the commission is authorized to widen Boylston street between Arlington street and Charles street by taking, as a part of the street, so much of the land occupied by the Public Garden as lies between the present southerly fence of said garden and a line beginning at the intersection of the easterly line of Arlington street with the northerly line of Boylston street, thence running to a point opposite the westerly line of Church street and distant not exceeding forty feet from the line of the present southerly fence of said garden, thence continuing to Charles street at a distance not exceeding

forty feet from said fence. The commission, if it decides to widen Boylston street as aforesaid, shall construct the street as widened; and the cost of the new incline and the cost of widening Boylston street, but not including any payment for that part of the Public Garden which is taken for that purpose, and the cost of filling the excavation of the present incline in the Public Garden shall all be deemed a part of the cost of the Boylston street subway. The commission shall have authority to relocate the surface car tracks in Boylston street and Charles street and to grant new locations for the same so far as, in its judgment, may be desirable in view of the changes which may be made in the incline and approach to the Tremont street subway and in Boylston street itself: *provided, however,* that if the new incline herein provided for shall be discontinued at any future time the land so taken from the Public Garden for the widening of Boylston street shall revert back to its present use as a part of the Public Garden, and the now existing street line of Boylston street shall be re-established.

Relocation of certain tracks, etc.

Proviso.

Section 4. The commission, acting on behalf of the city of Boston, and the Boston Elevated Railway Company are authorized to make such modifications in the contract for the use of the Boylston street subway, dated December 7, 1911, as may be rendered necessary by the provisions of this act; but neither this act nor its acceptance, as hereinafter provided, shall be held to require any permanent change in the route of the Boylston street subway, as defined by chapter seven hundred and forty-one of the acts of the year nineteen hundred and eleven, or to require the city of Boston or the Boston Elevated Railway Company to consent to any such change.

Existing contract for use of Boylston street subway may be modified, etc.

Section 5. This act shall not take effect unless it is accepted by vote of the city council of the city of Boston, approved by the mayor, and accepted by the Boston Elevated Railway Company by vote of its board of directors, and certificates of such acceptances have been filed with the secretary of the commonwealth within sixty days after the approval of this act by the governor; nor unless the West End Street Railway Company by vote of its board of directors shall accept so much of this act as affects the Tremont street subway, and a certificate of such acceptance shall have been filed with the secretary of the commonwealth within the period of sixty days above specified.

Time of taking effect.

Approved June 16, 1913.

Chap. 811 AN ACT RELATIVE TO LYNNFIELD STREET IN THE CITY OF LYNN.

Be it enacted, etc., as follows:

Repair of part of Lynnfield street in city of Lynn.

SECTION 1. The county of Essex, acting by its board of county commissioners, is hereby authorized and directed to repair so much of the public way known as Lynnfield street in the city of Lynn as lies between the town of Lynnfield and the junction of said Lynnfield street with Great Woods road, so-called, in said city. Said repairs shall be made in a manner satisfactory to the Massachusetts highway commission and shall be completed on or before the first day of September, nineteen hundred and thirteen.

To be laid out and maintained as a state highway.

SECTION 2. Upon the completion of the work of repairing a part of said Lynnfield street, as set forth in the preceding section, the Massachusetts highway commission shall lay out and accept and thereafter maintain as a state highway said part of said Lynnfield street.

Damages.

SECTION 3. All damages sustained by any person or corporation by any act done under authority hereof may be assessed by a jury of the superior court in the manner provided by law in respect to damages sustained by the laying out of ways, the same to be paid by the county of Essex.

County commissioners may borrow money, etc.

SECTION 4. In order to carry out the provisions of this act the county commissioners of the county of Essex are hereby authorized to borrow upon the credit of the county such sum or sums as may be necessary, and to issue notes or bonds therefor.

SECTION 5. This act shall take effect upon its passage.

Approved June 16, 1913.

Chap. 812 AN ACT TO AUTHORIZE THE ARMORY COMMISSIONERS TO ACQUIRE OR LEASE LAND FOR PARADE AND DRILL GROUNDS AND FOR RANGES FOR TARGET PRACTICE.

Be it enacted, etc., as follows:

1908, 604, § 133, etc., amended.

SECTION 1. Section one hundred and thirty-three of chapter six hundred and four of the acts of the year nineteen hundred and eight, as amended by chapter three hundred and twenty-three of the acts of the year nineteen hundred and nine and by chapter six hundred and sixty-five of the

acts of the year nineteen hundred and twelve, is hereby further amended by adding at the end thereof the words: — The armory commissioners may, with the approval of the governor and council, take by right of eminent domain, purchase or lease land suitable for parade and drill grounds or for ranges for target practice until the volunteer militia is adequately provided with parade and drill grounds and ranges for target practice. The method of taking land for this purpose and the manner of determining the value of the land so taken shall be the same as are set forth in this section for the taking of land for the site of an armory. Upon land so acquired the armory commissioners may, with the approval of the governor and council, erect such building or buildings as may be needed for the use of the militia.

Land may be acquired for parade and drill grounds, target practice, etc.

Section 2. Section one hundred and thirty-four of said chapter six hundred and four is hereby amended by adding at the end thereof the words: — The armory commissioners may, by agreement with the mayor and aldermen of any city or the selectmen of any town which holds title to a drill and parade grounds or a target range, determine the value of such drill and parade grounds or target range, and upon approval of such agreement by the governor and council, may purchase such drill and parade grounds or target range for and in the name of the commonwealth, and thereupon title to the land and buildings so purchased shall vest absolutely in the commonwealth.

1908, 604, § 134, amended.

Determination of value.

Section 3. The first paragraph of section one hundred and thirty-seven of said chapter six hundred and four is hereby amended by inserting after the word "class", in the third line, the words: — or any parade and drill ground or range for target practice, the title to which is held by any city or town, — by inserting after the word "situated", in the fourth line, the words: — or which holds title to said parade and drill ground or range for target practice, — by inserting after the word "twenty-eight", in the sixth line, the words: — and one hundred and thirty, — and by inserting after the word "therein", in the ninth line, the words: — or using said parade and drill ground or said range for target practice, — so that said paragraph will read as follows: — Upon the taking for and in the name of the commonwealth of any armory of the first or second class or any parade and drill ground or range for target practice, the title to

1908, 604, § 137, amended.

City or town to be notified of taking, etc.

which is held by any city or town, the adjutant general shall notify the city or town in which such armory is situated or which holds title to said parade and drill ground or range for target practice, and thereupon all the obligations of said city or town under sections one hundred and twenty-seven and one hundred and twenty-eight and one hundred and thirty of this act and all allowances and payments by the commonwealth for rent shall cease, as to the organizations quartered therein, or using said parade and drill ground or said range for target practice.

SECTION 4. This act shall take effect upon its passage.

Approved June 16, 1913.

Chap. 813 AN ACT RELATIVE TO INDUSTRIAL ACCIDENTS AND OCCUPATIONAL DISEASES.

Be it enacted, etc., as follows:

Investigation relative to prevention of industrial accidents and occupational diseases.

SECTION 1. The state board of labor and industries and the industrial accident board, sitting jointly, shall investigate from time to time employments and places of employment within the commonwealth, and determine what suitable safety devices or other reasonable means or requirements for the prevention of accidents shall be adopted or followed in any or all such employments or places of employment; and also shall determine what suitable devices or other reasonable means or requirements for the prevention of industrial or occupational diseases shall be adopted or followed in any or all such employments or places of employment; and shall make reasonable rules, regulations and orders for the prevention of accidents and the prevention of industrial or occupational diseases in such employment or places of employment. Such rules, regulations and orders may apply to both employer and employee.

Public hearings to be given, etc.

SECTION 2. Before the adoption of any rule or regulation by the said joint board a hearing shall be given, and not less than ten days before the hearing a notice thereof shall be published in at least three newspapers, of which one shall be published in the city of Boston. Such rules or regulations shall upon adoption be published in like manner, and shall take effect thirty days after such publication, or at such later time as the board may fix. Before the adoption of any order a hearing shall be given thereon, of which a notice of not less than ten days shall be given to the individuals, firms, corporations or associations affected thereby.

Section 3. The joint board may appoint committees, on which employers and employees shall be represented, to investigate and recommend rules and regulations. Appointment of committees.

Section 4. The joint board shall make such general arrangements between the two boards as will prevent duplication of effort but the inspection and investigation carried on by the state board of labor and industries shall be a regular and systematic inspection and investigation of all places of employment and the conditions of safety and health pertaining thereto, and the inspection and investigation carried on by the industrial accident board shall be that relating to causes of injuries for which compensation may be claimed. Duties of boards.

Section 5. Any member or employee of either board may enter any place of employment for any purpose under this act at any time when the place of employment is being used for business purposes. Right of entry to premises.

Section 6. The joint board may require every physician treating a patient whom he believes to be suffering from any ailment or disease contracted as a result of the nature, circumstances or conditions of the patient's employment to report such information relating thereto as it may require, within such time as it may fix, to the state board of labor and industries, and may issue a list of such diseases which shall be regularly reported upon by physicians and may add to or change such list at any time. Copies of all such reports and all statistics and data compiled therefrom shall be kept by the state board of labor and industries, and shall be furnished on request to the industrial accident board and the state board of health. Reports to be made by physicians, etc.

Section 7. All hearings by the joint board shall be open to the public. The chairman of the state board of labor and industries and the chairman of the industrial accident board shall act alternately as chairman of the joint board, and the said board may designate one of the employees of either board to act as secretary. Chairman and secretary.

Section 8. Section eight of chapter seven hundred and twenty-six of the acts of the year nineteen hundred and twelve is hereby amended by adding at the end of the first paragraph thereof the words: — or persons especially qualified by technical education in matters relating to health and sanitation. 1912, 726, § 8, amended.

Section 9. The industrial accident board may appoint and remove not more than six inspectors, subject to the Inspectors, appointment, etc.

laws relating to the appointment and removal of employees in the classified civil service. They shall be required to pass examinations of a comprehensive and practical character based upon the particular requirements of the kinds of work to be done, shall be graded in such manner as the board may deem expedient, and shall receive such salaries as the board, with the approval of the governor and council, may fix.

Rules, etc., of joint board to prevail.

SECTION 10. If any rule or regulation made under authority of section eighteen of Part IV of chapter seven hundred and fifty-one of the acts of the year nineteen hundred and eleven conflicts with or differs from a rule or regulation of the joint board, the rule or regulation of the joint board shall prevail.

Expenditures.

SECTION 11. There may be expended annually by the joint board in carrying out the provisions of this act such sums as the general court may appropriate. The joint board shall annually submit to the auditor of the commonwealth such statements of estimates to cover its expenses as are required by section three of chapter seven hundred and nineteen of the acts of the year nineteen hundred and twelve.

Certain terms defined.

SECTION 12. The following terms and phrases, as used in this act, shall have the following meanings: —

(a) The term "employment" shall mean and include any trade, occupation or branch of industry, any particular method or process used therein, and the service of any particular employer; but shall not include private domestic service or service as a farm laborer.

(b) The phrase "place of employment" shall mean and include every place whether indoors or out or underground and the premises appurtenant thereto, into, in or upon which any employee goes or remains either temporarily or regularly in the course of his employment.

(c) The terms "safe" and "safety", as used in this act, shall be held to relate to such freedom from danger to the life, safety and health of employees as the nature of the employment will reasonably permit.

(d) The terms "industrial disease" and "occupational disease" shall mean and include any ailment or disease caused by the nature, circumstances or conditions of the employment.

Penalty.

SECTION 13. Whoever violates any reasonable rule, regulation, order or requirement made by the joint board

under authority hereof, shall be punished by a fine of not more than one hundred dollars for each offence.

Repeal.

Section 14. All acts and parts of acts inconsistent herewith are hereby repealed; but this provision shall not be construed to take away any of the existing powers of the industrial accident board, the board of railroad commissioners, the state board of health, the board of boiler rules, the boiler inspection department of the district police, or the building inspection department of the district police, or any power given to the state board of labor and industries by chapter seven hundred and twenty-six of the acts of the year nineteen hundred and twelve.

Section 15. This act shall take effect upon its passage.

Approved June 16, 1913.

An Act to provide for the improvement of Beaver Dam brook in the towns of Ashland, Framingham, Sherborn and Natick. *Chap.* 814

Be it enacted, etc., as follows:

Improvement of Beaver Dam brook.

Section 1. The metropolitan water and sewerage board is authorized to widen, straighten and deepen the channel of Beaver Dam brook in the towns of Ashland, Framingham, Sherborn and Natick, and otherwise to improve said brook from Waushakum pond in the towns of Ashland and Framingham to the outlet of said brook at Lake Cochituate in the town of Natick.

Description of lands, etc., taken to be recorded.

Section 2. The said board, for the purposes aforesaid, may take, or acquire by purchase or otherwise, lands, easements, rights of way, water rights and other property, and shall sign and cause to be recorded in the registry of deeds for the county and district in which the property to be taken is situated a description thereof as certain as is required in a common conveyance of land, and stating that the same is taken for the metropolitan water works; and upon such recording the property so described shall vest in the commonwealth.

Damages.

Section 3. Any person whose property is injured by the taking or by the widening, straightening or deepening of said brook, or by any other act of the said board under the provisions of this act, and who has not released to the commonwealth all claims for damages on account of the same, may have his damages determined by the award of, or by agreement with, the said board; and if the parties cannot

agree upon the damages, the damages may be determined by a jury of the superior court for the county of Middlesex under the provisions of chapter forty-eight of the Revised Laws, so far as they may be applicable, upon a petition therefor filed by the person aggrieved in the office of the clerk within one year after the damage is sustained, and the petitioner shall have judgment for the amount determined, with interest on the excess of the amount over the award of the board, and costs if the amount is greater than the award of the said board; otherwise the petitioner shall recover no interest and shall pay costs.

Issue of bonds, etc.

SECTION 4. The expense incurred in carrying out the provisions of this act shall be paid out of the treasury of the commonwealth, and the treasurer and receiver general shall, from time to time, on the request of the said board, issue negotiable bonds in the name and in behalf of the commonwealth and under its seal, designated on the face thereof, Metropolitan Water Loan, to an amount not exceeding thirty-three thousand dollars; and the provisions of chapter four hundred and eighty-eight of the acts of the year eighteen hundred and ninety-five and acts in amendment thereof and in addition thereto shall, so far as the same are applicable, apply to said loan.

Assessment of betterments, etc.

SECTION 5. The metropolitan water and sewerage board shall, within one year after the completion of the work hereby authorized, if in its opinion any land receives a benefit from the improvements beyond the general benefit to all land in said towns, and if the owner has not released to the commonwealth all claims for damages on account of any act or thing done by said board, its agents, or servants in carrying out the provisions of this act, determine the value of and assess upon the land receiving such benefit a proportional share of the cost of the said improvements, not exceeding the value of the benefit; and any person whose land is so assessed may have the amount of the assessment determined by a jury of the superior court for the county of Middlesex, under the provisions of chapter fifty of the Revised Laws, so far as they may be applicable, but without interest or costs if the assessment by the jury is less than the amount determined by the said board. The assessment so determined by the said board or by a jury, as the case may be, shall constitute a lien upon the land until it is paid. Every such assessment shall be certified by the secretary of

said board or by the clerk of said court to the collector of the town in which the land lies, and shall be collected by him in the manner provided for the collection of taxes, and the proceeds thereof shall be paid into the treasury of the commonwealth and be applied by the treasurer toward payment of the expense incurred in making the said improvements.

Buildings near brook may be connected with sewers of town of Framingham.

Section 6. The town of Framingham shall permit dwelling houses and other buildings situated near said brook in the towns of Ashland, Natick or Sherborn, to be connected with the sewers of the town of Framingham, upon payment of such entrance fees as the town of Framingham may determine, and subject to such reasonable regulations and sewer rentals relative thereto as may be adopted and established by the town of Framingham.

Payment of expense.

Section 7. One third of the expense incurred as aforesaid shall be borne and paid by the town of Framingham, and the said town shall from time to time pay into the treasury of the commonwealth, within three months after notice from the treasurer of the commonwealth, such sums as may be necessary to reimburse the commonwealth for its share of the expense incurred as aforesaid, and the sum so paid by the town shall be applied by the treasurer toward the payment of the said expense.

Town of Framingham Beaver Dam Brook Loan, Act of 1913.

Section 8. The town of Framingham may appropriate money for the purpose of paying the amount to be paid by said town into the treasury of the commonwealth under the provisions of this act, and for that purpose the town is hereby authorized, from time to time, to borrow money beyond its statutory limit of indebtedness to an amount not exceeding twelve thousand dollars, and to issue notes or bonds therefor. Such notes or bonds shall bear on the face thereof the words, Town of Framingham Beaver Dam Brook Loan, Act of 1913, and also the words, Exempt from Taxation in Massachusetts, shall be payable by such annual payments beginning not more than one year after the date thereof as will extinguish each loan within twelve years from its date; and the amount of such annual payment of any loan in any year shall not be less than the amount of the principal of such loan payable in any subsequent year. Each authorized issue of notes or bonds shall constitute a separate loan. Said notes or bonds shall bear interest, payable semi-annually, at a rate not exceeding five per

cent per annum, and shall be signed by the treasurer and countersigned by the selectmen of the town. The town may sell the said securities at public or private sale, upon such terms and conditions as it may deem expedient, but they shall not be sold for less than their par value.

Payment of loan.

SECTION 9. The town shall, at the time of authorizing the said loan, provide for the payment thereof in accordance with the provisions of the preceding section; and when a vote to that effect has been passed the amount required thereby shall, without further vote, be assessed by the assessors of the town annually thereafter, in the same manner in which other taxes are assessed, until the debt incurred by the loan is extinguished. The said town shall also raise annually by taxation a sum which will be sufficient to pay the interest as it accrues on the notes or bonds issued under authority of this act.

SECTION 10. This act shall take effect upon its passage.

Approved June 16, 1913.

Chap. 815 AN ACT RELATIVE TO THE FILING OF INTERROGATORIES IN CIVIL ACTIONS.

Be it enacted, etc., as follows:

Interrogatories.

SECTION 1. Any party, after the entry of an action at law or the filing of a bill in equity, may interrogate an adverse party for the discovery of facts and documents admissible in evidence at the trial of the case. The word "party" shall be deemed to include parties intervening or otherwise admitted after the beginning of the suit.

Word "party" defined.

Answers to be in writing, etc.

SECTION 2. The answers shall be in writing, under oath, and shall be signed by the party interrogated. The party interrogated shall, before making answer, make such inquiry of his agents, servants and attorneys as will enable him to make full and true answers to the interrogatories.

Filing, etc.

SECTION 3. Interrogatories shall be filed in the clerk's office or in the office of a justice who has no clerk or with a trial justice, and notice of such filing, with a copy of the interrogatories, shall be sent by the party interrogating to the party interrogated, or to his attorney of record. If, within ten days after such notice, or in a police, district, or municipal court within such lesser time as the court may by general or special order direct, the party interrogated does not answer the interrogatories, the court shall, upon

Failure to answer, etc.

motion, order the party interrogated to answer such of the interrogatories as it finds proper, within such time as it may fix; but no party interrogated shall be obliged to answer a question or produce a document which would tend to criminate him or to disclose his title to any property the title whereof is not material to an issue in the proceeding in the course of which he is interrogated, nor to disclose the names of witnesses, except that the court may compel the party interrogated to disclose the names of witnesses and their addresses if justice seems to require it, upon such terms and conditions as the court may deem expedient. A party shall not interrogate an adverse party more than once unless the court otherwise orders, except as to any new matters which have been disclosed by the answers to interrogatories previously filed.

Refusal to answer.

Section 4. If a party interrogated neglects or refuses to answer interrogatories, or fails to amend or expunge an answer or part of an answer as ordered, the court may make and enter such order, judgment or decree as justice requires.

Examination of corporate and municipal offices.

Section 5. If a corporation is a party, the adverse party may examine the president, treasurer, clerk or a director, manager or superintendent, or other officer thereof, as if he were a party. If a municipal corporation is a party, the mayor of a city or the chairman of the board of selectmen of a town may be examined as if he were a party, except that no city or town official shall be interrogated concerning matters of public record. If a minor or person under guardianship is a party, the adverse party may examine as if said party were not a minor or under guardianship: *provided*, that if the minor be not of such age as to appreciate an oath, or the person under guardianship be mentally incompetent to answer, the person appearing in the suit as the guardian, guardian ad litem or next friend of such party shall make answer.

— of minors, etc.

Proviso.

Costs.

Section 6. Such order may be made respecting costs, either in the action or cause or otherwise, as the court may direct by general rule or by a special order in each case.

Protection of immaterial matter.

Section 7. Nothing in this act shall be construed to affect the right of a party interrogated under the direction of the court to seal up or otherwise protect from examination such parts of any document, book, voucher, or other writing as contain matters not pertinent to the subject of the action,

or to affect the power of the court to protect said right or any right of the party interrogated, by suitable order.

To apply to land and probate courts.

SECTION 8. The provisions of this act shall apply to proceedings in the land court, and to interrogatories filed in the probate court under the provisions of sections forty-one and forty-two of chapter one hundred and sixty-two of the Revised Laws.

Repeal.

SECTION 9. Sections fifty-seven to sixty-seven, both inclusive, of chapter one hundred and seventy-three of the Revised Laws, sections fifteen and sixteen of chapter one hundred and fifty-nine of the Revised Laws, chapters two hundred and six and two hundred and twenty-five of the acts of the year nineteen hundred and nine, chapter five hundred and ninety-three of the acts of the year nineteen hundred and eleven, chapter two hundred and seventy-six of the acts of the year nineteen hundred and twelve, and all acts and parts of acts inconsistent herewith, are hereby repealed. *Approved June 16, 1913.*

Chap. 816 AN ACT TO PROVIDE FOR THE APPOINTMENT OF TWO ADDITIONAL FIRE INSPECTORS FOR THE DETECTIVE DEPARTMENT OF THE DISTRICT POLICE.

Be it enacted, etc., as follows:

Appointment of additional fire inspectors in detective department of district police.

SECTION 1. The governor is hereby authorized to appoint two additional members of the district police, who shall be employed as fire inspectors in the detective department. Their terms of office, salaries, powers and duties shall be the same as those provided by law for the district police. The said appointments may be made without giving to veterans the preference required by sections twenty-one and twenty-two of chapter nineteen of the Revised Laws.

SECTION 2. This act shall take effect upon its passage. *Approved June 16, 1913.*

Chap. 817 AN ACT RELATIVE TO THE RETIREMENT SYSTEM FOR THE EMPLOYEES OF THE COUNTIES OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

1911, 634, § 1, amended.

SECTION 1. Section one of chapter six hundred and thirty-four of the acts of the year nineteen hundred and eleven is hereby amended by striking out paragraph (*c*), and inserting in place thereof the following: — (*c*) The word

"employees" means permanent and regular employees in the direct service of the county, whose only or principal employment is in such service, — and by striking out paragraph (*f*) and inserting in place thereof the following: — (*f*) The words "continuous service" mean uninterrupted employment, with these exceptions: a lay-off on account of illness or reduction of force; and a leave of absence, suspension or dismissal followed by reinstatement within one year. In the case of employees of the county who are now paid wholly by it, but who at any prior period were employees of the county within the meaning of paragraph (*c*) of this section and did not receive the whole or any part of their compensation from said county, service rendered by them during such prior period shall be considered as a part of the period of continuous service within the meaning of this act, — so as to read as follows: — *Section 1.* In this act, unless the context otherwise requires: —

Certain words and terms defined.

(*a*) The words "retirement system" mean the arrangements provided in this act for the payment of annuities and pensions.

(*b*) The word "annuities" means the payments for life derived from money contributed by the employees.

(*c*) The word "employees" means permanent and regular employees in the direct service of the county, whose only or principal employment is in such service.

(*d*) The word "pensions" means the payments for life derived from money contributed by the county.

(*e*) The words "regular interest" mean interest at three per cent per annum compounded semi-annually on the last days of December and June, and reckoned for full three and six months periods only.

(*f*) The words "continuous service" mean uninterrupted employment, with these exceptions: a lay-off on account of illness or reduction of force; and a leave of absence, suspension or dismissal followed by reinstatement within one year.

In the case of employees of the county who are now paid wholly by it, but who at any prior period were employees of the county within the meaning of paragraph (*c*) of this section and did not receive the whole or any part of their compensation from said county, service rendered by them during such prior period shall be considered as a part of the period of continuous service within the meaning of this act.

1911, 634 § 3, amended.

SECTION 2. Paragraph (2) of section three of said chapter six hundred and thirty-four is hereby amended by striking out the word "thirty", in the fifth line, and inserting in place thereof the word: — ninety, — so as to read as follows: —

Membership.

(2) All employees who enter the service of the county after the date when the retirement system is declared established by the issue of the certificate, as provided in section two, except persons who have already passed the age of fifty-five years, shall upon completing ninety days of service become thereby members of the association. Persons over fifty-five years of age who enter the service of the county after the establishment of the retirement system shall not be allowed to become members of the association, and no such employee shall remain in the service of the county after reaching the age of seventy years.

1911, 634, § 6, amended.

SECTION 3. Paragraph (2) *C* (*b*) of section six of said chapter six hundred and thirty-four is hereby amended by inserting after the word "retired", in the fifth line, the words: — and any member who completes thirty-five years of continuous service and then or thereafter retires or is retired, — and by inserting after the word "interest", in the fifteenth line, the words: — If any two members of the association are husband and wife, and one of the two retires or is retired the other shall have the right also to retire, and shall be paid a retiring allowance proportionate to the amount of his or her accumulated contributions to the date of such retirement, or, if such allowance should be less than the minimum allowance of two hundred dollars hereinafter provided for, shall be paid that sum annually. If the accumulated contributions of any employee retired under the provisions of this act exceed the amount required to provide an annuity equal to one fourth of the average wages or salary of such employee during the last ten years prior to his retirement, the excess above that amount shall be paid to such employee in a gross sum with the first monthly payment on the account of his retiring allowance, — so that said paragraph (2) *C* (*b*) as hereby amended will read as

Pensions based upon prior service, etc.

follows: — (*b*) Pensions based upon prior service. Any member of the association who reaches the age of sixty years, having been in the continuous service of the county for fifteen years or more immediately preceding, and then or thereafter retires or is retired, and any member who completes thirty-five years of continuous service and then or

thereafter retires or is retired, shall receive in addition to the annuity and pension provided for by paragraphs (2) *B* and *C* (*a*) of this section an extra pension for life as large as the amount of the annuity to which he might have acquired a claim if the retirement system had been in operation at the time when he entered the service of the county, and if accordingly he had paid regular contributions from that date to the date of the establishment of the retirement association at the same rate as that first adopted by the board of retirement, and if such deductions had been accumulated with regular interest.

If any two members of the association are husband and wife, and one of the two retires or is retired the other shall have the right also to retire, and shall be paid a retiring allowance proportionate to the amount of his or her accumulated contributions to the date of such retirement, or, if such allowance should be less than the minimum allowance of two hundred dollars hereinafter provided for, shall be paid that sum annually.

If the accumulated contributions of any employee retired under the provisions of this act exceed the amount required to provide an annuity equal to one fourth of the average wages or salary of such employee during the last ten years prior to his retirement, the excess above that amount shall be paid to such employee in a gross sum with the first monthly payment on the account of his retiring allowance.

Any employee who had already reached the age of fifty-five years on the date when the retirement system was established, and also became a member of the association, may be retired under the provisions of the preceding paragraph without having completed the otherwise required service period of fifteen years. For the purpose of computing any pension payable for prior service, the board of retirement may estimate on the basis determined by them the wages received at any period for which they may deem it impracticable to consult the original records.

Any employee not a member of the association who had already reached the age of fifty-five years on the date when the retirement system was established may be retired at any time, and shall be paid a pension equivalent to the minimum payment hereinafter provided for.

Section 4. This act shall take effect upon its passage.

Approved June 16, 1913.

Chap. 818 AN ACT RELATIVE TO THE DISPLAYING OF CERTAIN FLAGS.

Be it enacted, etc., as follows:

1913, 678, § 1, repealed.

SECTION 1. Section one of chapter six hundred and seventy-eight of the acts of the year nineteen hundred and thirteen is hereby repealed.

SECTION 2. This act shall take effect upon its passage.

Approved June 16, 1913.

Chap. 819 AN ACT TO PROVIDE FOR SUBMITTING TO THE VOTERS ON OFFICIAL BALLOTS QUESTIONS OF PUBLIC POLICY.

Be it enacted, etc., as follows:

Questions of public policy may be placed upon official ballots upon application, etc.

SECTION 1. On an application signed by twelve hundred voters in any senatorial district, or by two hundred voters in any representative district, asking for the submission to the voters of that senatorial or representative district of any question of instructions to the senator or representatives from that district, and stating the substance thereof, the secretary of the commonwealth shall determine if such question is one of public policy, and if he shall so determine shall draft it in such simple, unequivocal and adequate form as he shall deem best suited for presentation upon the ballot. Upon the fulfilment of the requirements of this act the secretary shall place such question on the official ballot to be used in that senatorial or representative district at the next state election.

Signing and certification of applications, etc.

SECTION 2. Signers of applications shall append to their signatures their residence, with street and number, if any, and shall be certified as registered voters by the proper registrars of voters, and in Boston by the election commissioners. All provisions of law relating to nomination papers shall, as far as they may be applicable, apply to such applications.

Time of filing, etc.

SECTION 3. Applications shall be filed with the secretary of the commonwealth not less than sixty days before the election at which the questions are to be submitted. Not more than two questions under this act shall be placed upon the ballot at one election, and they shall be submitted in the order in which the applications are filed. No question negatived and no question substantially the same shall be submitted again in less than three years.

Section 4. No vote under the provisions of this act shall be regarded as an instruction under article nineteen of the bill of rights of the constitution of the commonwealth unless the question submitted receives a majority of all the votes cast at that election. Not be considered as an instruction unless majority of all votes cast so determine.

Section 5. This act shall take effect upon its passage.

Approved June 16, 1913.

An Act in still further addition to the several acts making appropriations for sundry miscellaneous expenses authorized during the present year or by previous laws. *Chap.* 820

Be it enacted, etc., as follows:

Section 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, unless herein otherwise provided, for the purposes specified, to wit: — Appropriations.

For an annuity for Charles P. Geer of Somerville, as authorized by chapter seventy-nine of the resolves of the present year, a sum not exceeding two hundred and seven dollars, to be paid out of the Metropolitan Parks Maintenance Fund. Charles P. Geer.

For an annuity for Lucy A. Gilbert, as authorized by chapter eighty of the resolves of the present year, a sum not exceeding one hundred twelve dollars and ninety cents. Lucy A. Gilbert.

For the purchase of certain land for the state normal school at Hyannis, as authorized by chapter eighty-two of the resolves of the present year, a sum not exceeding fifty-two hundred dollars. Purchase of land for normal school at Hyannis.

For expenses of the joint board authorized to investigate the subject of impediments to marriage, as authorized by chapter eighty-five of the resolves of the present year, a sum not exceeding seven hundred and fifty dollars. Investigation of impediments to marriage.

For reimbursing the town of Winthrop for the cost of a certain sea wall, as authorized by chapter eighty-six of the resolves of the present year, the sum of eight thousand dollars. Cost of sea wall in Winthrop.

For expenses incurred by the metropolitan park commission in making an investigation as to the cost of completing the Lynn Fells parkway from Bellevue avenue and Green street in the city of Melrose to the Lynn woods, as authorized by chapter eighty-seven of the resolves of the present year, Investigation as to completion of Lynn Fells parkway.

a sum not exceeding five hundred dollars, two hundred and fifty dollars of which shall be charged to the Metropolitan Parks Maintenance Fund, Boulevards.

Repair of road in Provincetown.

For repairing a certain road on province lands in the town of Provincetown, as authorized by chapter eighty-eight of the resolves of the present year, a sum not exceeding five thousand dollars, to be expended by the highway commission.

Family of J. Walter Cropper.

For an annuity for the family of J. Walter Cropper, as authorized by chapter ninety of the resolves of the present year, a sum not exceeding three hundred twelve dollars and fifty cents.

Protection of public health in valley of Neponset river.

For the protection of the public health in the valley of the Neponset river, as authorized by chapter ninety-one of the resolves of the present year, a sum not exceeding seventeen thousand five hundred dollars, the same to be paid by assessments upon certain cities and towns and to be in addition to the amount authorized by chapter six hundred and fifty-five of the acts of the year nineteen hundred and eleven.

New Bedford textile school.

For the New Bedford textile school, as authorized by chapter ninety-two of the resolves of the present year, the sum of thirty thousand dollars.

Dorchester tunnel connection.

For expenses incurred by the Boston transit commission in investigating the cost of a subway to connect Dorchester tunnel with the South terminal station in the city of Boston, as authorized by chapter ninety-three of the resolves of the present year, a sum not exceeding two hundred and fifty dollars.

Lowell textile school.

For the maintenance of the Lowell textile school, as authorized by chapter ninety-four of the resolves of the present year, the sum of seventy-three thousand dollars.

Encouragement of dairying, etc.

For expenses relative to dairying and the production of milk, as authorized by chapter ninety-six of the resolves of the present year, a sum not exceeding five thousand dollars.

Report on education, etc., of persons with seriously defective vision.

For a report by the Massachusetts commission for the blind on the condition and education of persons with seriously defective vision, as authorized by chapter ninety-seven of the resolves of the present year, a sum not exceeding fifteen hundred dollars.

Investigation as to sites for normal schools.

For an investigation by the board of education relative to sites for normal schools, as authorized by chapter ninety-nine of the resolves of the present year, a sum not exceeding five hundred dollars.

For an investigation by the harbor and land commission of the cost of dredging Lake Quannapowitt in the town of Wakefield, as authorized by chapter one hundred and one of the resolves of the present year, a sum not exceeding one thousand dollars. Investigation as to dredging Lake Quannapowitt.

To provide for increasing wild game birds, as authorized by chapter one hundred and two of the resolves of the present year, a sum not exceeding seventy-five hundred dollars, to be expended by the commission on fisheries and game. Increasing wild game birds.

To provide for increasing the supply of food and game fish in public waters, as authorized by chapter one hundred and three of the resolves of the present year, a sum not exceeding seventy-five hundred dollars, to be expended by the commission on fisheries and game. Increasing supply of food and game fish.

To provide for an investigation of the fisheries of Buzzard's bay, as authorized by chapter one hundred and four of the resolves of the present year, a sum not exceeding twenty-five hundred dollars. Investigation of fisheries of Buzzard's bay.

For J. William Voss, as authorized by chapter one hundred and five of the resolves of the present year, the sum of five hundred eight dollars and forty-three cents. J. William Voss.

For expenses of codifying the fish and game laws, as authorized by chapter one hundred and seven of the resolves of the present year, a sum not exceeding three hundred dollars. Codification of fish and game laws.

For expenses of an investigation relative to the service of street railway companies, as authorized by chapter one hundred and eight of the resolves of the present year, a sum not exceeding five thousand dollars, to be assessed upon the metropolitan parks district. Investigation of street railway service.

For the town of Sandisfield, as authorized by chapter one hundred and nine of the resolves of the present year, the sum of six hundred five dollars and sixty-eight cents. Town of Sandisfield.

For certain additions and improvements at the Massachusetts Agricultural College, as authorized by chapter one hundred and twelve of the resolves of the present year, a sum not exceeding eighty thousand two hundred two dollars and eleven cents. Massachusetts Agricultural College.

For the purchase of land for the state normal school at Framingham, as authorized by chapter one hundred and thirteen of the resolves of the present year, a sum not exceeding one thousand dollars. Purchase of land for normal school at Framingham.

For incidental expenses in the office of the auditor of the commonwealth, a sum not exceeding nine hundred dollars, Expenses, auditor's office.

the same to be in addition to any amount heretofore appropriated for the purpose.

Connecticut Valley waterway board.

For compensation as approved by the governor and council of two members of the Connecticut Valley waterway board, appointed under the provisions of chapter one hundred and forty-nine of the resolves of the year nineteen hundred and twelve, the sum of two thousand dollars.

Sergeant-at-arms' contingent.

For the sergeant-at-arms' contingent, one hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose.

Telephone service.

For service of telephones in the state house, to be expended under the direction of the sergeant-at-arms, a sum not exceeding two hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose.

Furniture and fixtures.

For new furniture and fixtures for the use of sundry state departments, to be expended under the direction of the state house commission, a sum not exceeding ten thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose.

Detective department of district police.

For travelling expenses of the members of the detective department of the district police, a sum not exceeding three thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose.

Travelling expenses of district police.

For travelling expenses of members of the inspection department of the district police, a sum not exceeding two thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose.

Penikese hospital.

For expenses of maintaining Penikese hospital, a sum not exceeding sixteen hundred and fifty dollars, the same to be in addition to the amount heretofore appropriated for the purpose.

Summer census in certain cities and towns.

For expenses of a summer census, as authorized by section thirteen of chapter one hundred of the Revised Laws, a sum not exceeding five hundred dollars, to be met by assessments upon certain cities and towns and to be in addition to any amount heretofore appropriated for the purpose.

Settlement of damages.

For the settlement of a certain case of damages resulting from a defect in a state highway, as authorized by section thirteen of chapter forty-seven of the Revised Laws and recommended by an assistant attorney-general, the sum of three hundred dollars.

Tuition of certain children.

For expenses of the tuition of children boarded out under the direction of the trustees of Massachusetts training schools, a sum not exceeding two hundred fourteen dollars and sixty

cents, the same to be in addition to any amount heretofore appropriated for the purpose.

Preliminary plans, specifications, etc.

For preliminary plans, specifications and estimates provided for by the act relative to the construction and improvement of buildings at state institutions, a sum not exceeding ten thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose.

Publication of opinions of attorney-general.

For the publication of opinions of the attorney-general, a sum not exceeding five hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose.

Salary of second deputy auditor.

For the salary of the second deputy in the office of the auditor of the commonwealth, a sum not exceeding two hundred eight dollars and thirty-four cents, the same to be in addition to any amount heretofore appropriated for the purpose.

Bulletin of committee hearings.

For expenses of publishing the bulletin of legislative committee hearings, a sum not exceeding one thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose.

Legislative printing and binding.

For legislative printing and binding, a sum not exceeding one thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose.

Additional clerks, inspection department of district police.

For additional clerks in the inspection department of the district police, as authorized by chapter six hundred and ten of the acts of the present year, a sum not exceeding six hundred dollars.

Deputy chief of district police.

For the salary of the deputy chief, as authorized by the last mentioned act, a sum not exceeding thirteen hundred fifty-four dollars and eighty-four cents.

Supervisor of loan agencies.

For the salary of the supervisor of loan agencies, as authorized by chapter six hundred and thirty-eight of the acts of the present year, a sum not exceeding five hundred and sixty dollars, the same to be in addition to any amount heretofore appropriated for the purpose.

Extermination of contagious diseases among animals.

For expenses in the extermination of contagious diseases among horses, cattle and other animals, as authorized by chapter six hundred and forty-six of the acts of the present year, a sum not exceeding thirty-five thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose.

Instruction in military art.

For uniform instruction in military art, as authorized by chapter six hundred and sixty-four of the acts of the present year, to be expended under the direction of the adjutant

general, a sum not exceeding five hundred and forty dollars, the same to be in addition to any amount heretofore appropriated for the purpose.

Educational work for foreigners.

For the expenses of an agent to be appointed by the board of free public library commissioners to conduct educational work for foreigners, as authorized by chapter six hundred and sixty-eight of the acts of the present year, a sum not exceeding one thousand dollars.

Physician at reformatory for women.

For expenses of the reformatory for women, to provide for the salary of the physician, as authorized by chapter six hundred and seventy-five of the acts of the present year, a sum not exceeding five hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose.

Board of registration in pharmacy, expenses.

For expenses of the board of registration in pharmacy in making preparation for the licensing of stores transacting a retail drug business, as authorized by chapter seven hundred and five of the acts of the present year, a sum not exceeding one thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose.

Expenses of attorney-general.

For expenses of the attorney-general in carrying out the provisions of chapter seven hundred and nine of the acts of the present year, a sum not exceeding five thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose.

Clerical assistance, adjutant-general's office.

The appropriations heretofore made for the several clerks and messengers in the department of the adjutant general are hereby made available to be used under the provisions of chapter seven hundred and ten of the acts of the present year.

Herbert H. Boynton.

For the salary of Herbert H. Boynton, as authorized by chapter seven hundred and seventeen of the acts of the present year, a sum not exceeding five hundred and eleven dollars, the same to be in addition to any amount heretofore appropriated for the purpose.

Second deputy secretary of the commonwealth.

For the salary of the second deputy in the office of the secretary of the commonwealth, as authorized by chapter seven hundred and eighteen of the acts of the present year, a sum not exceeding two hundred fifty-five dollars and fifty cents, the same to be in addition to any amount heretofore appropriated for the purpose.

Quartermaster general.

For the salary of the quartermaster general, as authorized by chapter seven hundred and thirty-three of the acts of

the present year, a sum not exceeding four hundred and ten dollars, the same to be in addition to any amount heretofore appropriated for the purpose.

Quartermaster general's department.

For the salaries of clerks and other assistants in the department of the quartermaster general, as authorized by the last mentioned act, the sum of six hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose.

Judges of the land court.

For salaries of the judge and associate judge of the land court, as authorized by chapter seven hundred and thirty-eight of the acts of the present year, a sum not exceeding nineteen hundred eighty-three dollars and thirty-three cents, the same to be in addition to any amount heretofore appropriated for the purpose.

Sea wall on Broad canal in Cambridge.

For building a certain sea wall on Broad canal in the city of Cambridge, as authorized by chapter seven hundred and forty-one of the acts of the present year, a sum not exceeding seventy-five hundred dollars, the same to be paid from the Charles River Basin Maintenance Fund.

Police control of Lake Quinsigamond.

For police control of Lake Quinsigamond, as authorized by chapter seven hundred and forty-two of the acts of the present year, a sum not exceeding twenty-five thousand dollars, the same to be assessed upon the town of Shrewsbury and the city of Worcester.

Reclamation of wet lands.

For reclaiming wet lands, as authorized by chapter seven hundred and fifty-nine of the acts of the present year, a sum not exceeding fifteen thousand dollars, to be expended under the direction of the joint board composed of the state board of agriculture and the state board of health.

Section 2. This act shall take effect upon its passage.

Approved June 16, 1913.

An Act to authorize the town of Greenfield to refund certain indebtedness. *Chap.* 821

Be it enacted, etc., as follows:

Town of Greenfield may refund certain indebtedness.

Section 1. The town of Greenfield is hereby authorized to incur indebtedness to an amount not exceeding thirty thousand five hundred dollars, for the purpose of refunding certain outstanding indebtedness of the town due and maturing as follows: — Schoolhouse loan, ten thousand dollars, due November first, nineteen hundred and thirteen; seven thousand five hundred dollars, due October fifteenth,

nineteen hundred and thirteen; eight thousand dollars, due July first, nineteen hundred and thirteen; and a sewer loan of five thousand dollars, due November first, nineteen hundred and thirteen.

Issue of notes, etc.

SECTION 2. The town treasurer, with the approval of the selectmen and without further vote of the town, is hereby authorized to incur the said indebtedness in the name and behalf of said town and to issue six notes of the town therefor; one for five thousand five hundred dollars and five for five thousand dollars each. The said notes shall be payable as follows: — The note for five thousand five hundred dollars not more than one year after the date thereof, and one note of five thousand dollars annually thereafter, so that the whole loan shall be paid within six years from the date of the note first issued. The said notes shall bear interest at a rate not exceeding five per cent per annum, payable semi-annually, and the amount required to pay the interest and principal maturing each year shall be raised by taxation and shall, without further action by the town, be assessed annually by the assessors in the same manner in which other taxes are assessed, until the whole debt is extinguished.

SECTION 3. This act shall take effect upon its passage.

Approved June 16, 1913.

Chap. 822 AN ACT TO PROVIDE FOR A REFERENDUM RELATIVE TO AN EIGHT-HOUR DAY FOR CITY AND TOWN EMPLOYEES.

Be it enacted, etc., as follows:

Question as to eight-hour day for city and town employees to be submitted to voters for acceptance.

SECTION 1. In every city and town which has not formally accepted the provisions of section twenty of chapter one hundred and six of the Revised Laws, or of section forty-two of chapter five hundred and fourteen of the acts of the year nineteen hundred and nine, as affected by chapter four hundred and ninety-four of the acts of the year nineteen hundred and eleven, there shall be submitted to the voters at the next annual municipal election the following question, to be printed on the ballot: — "Shall this city (or town) accept the provisions of section forty-two of chapter five hundred and fourteen of the acts of the year nineteen hundred and nine, as affected by chapter four hundred and ninety-four of the acts of the year nineteen hundred and eleven, which provides that eight hours shall constitute a day's work for city or town employees?" If a majority of the voters voting thereon in any such city or town vote

in the affirmative, the said section forty-two and the said chapter four hundred and ninety-four shall thereupon take effect in such city or town.

May be resubmitted if not accepted, etc.

Section 2. If the voters of a city or town do not accept the provisions aforesaid the question shall again be submitted to the voters in the second year thereafter or in any second year after failure to accept said provisions by the voters: *provided*, that a petition signed by voters equal in number to at least twenty-five per cent of the last preceding vote cast in the city or town for all candidates for governor of the commonwealth be presented to the clerk of the city or town twenty days at least before the day for voting on the question aforesaid, which day shall be the city or town election day. It shall be the duty of the clerk of the city or town to examine the petition and certify to the correctness of the names and the number of the petitioners, and to provide for the submission of the question to the voters upon the city or town election day as aforesaid.

Proviso.

Duties of town clerk.

Section 3. This act shall take effect upon its passage.

Approved June 16, 1913.

An Act further to define the authority of assessors relative to the overlay of taxes. *Chap.* 823

Be it enacted, etc., as follows:

1913, 649, § 1, amended.

Section 1. Chapter six hundred and forty-nine of the acts of the year nineteen hundred and thirteen is hereby amended by striking out section one and inserting in place thereof the following: — *Section 1.* Part I of chapter four hundred and ninety of the acts of the year nineteen hundred and nine is hereby amended by striking out section fifty-four and inserting in place thereof the following: — *Section 54.* The assessors, except in the city of Boston, may add to the amount to be assessed not more than five per cent thereof, although the limit of taxation as fixed by any city may by such overlay be exceeded, such amount to be used only for avoiding fractional divisions of the amount to be assessed in the apportionment thereof and for abatements granted on account of polls assessed in the year in which the overlay is made or of taxes in the warrant of which the overlay is a part; but any balance in the overlay account, in excess of the amount of the warrant remaining to be collected or abated, shall be transferred to a reserve fund to be used for

Overlay of taxes.

extraordinary or unforeseen expenses. In the city of Boston the assessors, for the purpose of avoiding fractional divisions of the amount to be assessed in the apportionment thereof and providing for abatements granted on account of taxes assessed, may add to the amount to be assessed not more than five per cent thereof, although the limit of taxation for that city may by such overlay be exceeded.

SECTION 2. This act shall take effect upon its passage.

Approved June 16, 1913.

Chap. 824 AN ACT RELATIVE TO INTEREST ON OVERDUE TAXES.

Be it enacted, etc., as follows:

1913, 688, § 2, amended.

SECTION 1. Section two of chapter six hundred and eighty-eight of the acts of the year nineteen hundred and thirteen is hereby amended by striking out the word "fourteen", and inserting in place thereof the word: — fifteen, — so as to read as follows: — *Section 2.* On all taxes of previous years remaining unpaid on the first day of January, nineteen hundred and fifteen, interest shall be charged at the rate of six per cent per annum until they are paid.

Interest on overdue taxes.

SECTION 2. This act shall take effect upon its passage.

Approved June 16, 1913.

Chap. 825 AN ACT RELATIVE TO THE VERIFICATION OF CERTAIN PAY ROLLS.

Be it enacted, etc., as follows:

1913, 520, amended.

SECTION 1. Chapter five hundred and twenty of the acts of the year nineteen hundred and thirteen is hereby amended by inserting after section two the following new section: — *Section 3.* A city council, board of aldermen, common council, commission, committee, or board of trustees may, for the purposes of this chapter, designate any one of its members to make oath to a pay roll, bill or account for salary or compensation of its membership or employees: *provided, however,* that nothing in this section shall be held to limit the responsibility of each member of any city council, board of aldermen, common council, commission, committee, or board of trustees in the event of a non-compliance with the provisions of this chapter.

Persons authorized to make oath to pay rolls, etc.

Proviso.

SECTION 2. This act shall take effect upon its passage.

Approved June 16, 1913.

An Act to authorize the county of Essex to repair or reconstruct the Groveland bridge over the Merrimac river. *Chap.* 826

Be it enacted, etc., as follows:

Reconstruction, etc., of Groveland bridge.

Section 1. The county commissioners of the county of Essex, subject to the provisions of chapter ninety-six of the Revised Laws and acts in amendment thereof and in addition thereto, and of all other laws which may be applicable, are hereby authorized to repair or reconstruct that part of the bridge over the Merrimac river between the city of Haverhill and the town of Groveland, known as the Groveland bridge, which lies east of the draw of the bridge.

County of Essex, Groveland Bridge Loan, Act of 1913.

Section 2. For the purposes of this act, the county commissioners of the county of Essex are hereby authorized to issue from time to time bonds or notes of said county to an amount not exceeding fifty-five thousand dollars. Such bonds or notes shall bear on their face the words, County of Essex, Groveland Bridge Loan, Act of 1913, and shall be payable by such annual payments, beginning not more than one year after the date thereof, as will extinguish each loan within twenty years from its date. The amount of such annual payment of any loan in any year shall not be less than the amount of the principal of the loan payable in any subsequent year. Each authorized issue of bonds or notes shall constitute a separate loan. Said bonds or notes shall bear interest at a rate not exceeding four and one half per cent per annum, payable semi-annually; and shall be signed by the treasurer of the county and countersigned by a majority of the county commissioners. The county may sell the said securities at public or private sale, upon such terms and conditions as it may deem proper, but they shall not be sold for less than their par value, and the proceeds shall be used only for the purpose herein provided.

Payment of loan.

Section 3. The county commissioners, at the time of authorizing said loan or loans, shall provide for the payment thereof in accordance with section two of this act; and a sum sufficient to pay the interest as it accrues on the bonds or notes issued as aforesaid by the county, and to make such payments on the principal as may be required under the provisions of this act shall be levied as a part of the county tax of the county of Essex annually thereafter, in the same

manner in which other taxes are levied, until the debt incurred by said loan or loans is extinguished.

Section 4. This act shall take effect upon its passage.

Approved June 16, 1913.

Chap. 827 An Act to authorize an exchange of land at the Massachusetts Agricultural College.

Be it enacted, etc., as follows:

Exchange of certain land at the Massachusetts Agricultural College.

Section 1. The trustees of the Massachusetts Agricultural College are hereby authorized to sell and convey a certain parcel of land containing about twelve acres and being a part of what is known as the Louisa Baker land, in exchange for a parcel of land containing about twenty-seven acres and being a part of what is known as the Owen farm, both tracts being situated in the town of Amherst and adjoining the land of the Massachusetts Agricultural College; but the said conveyance shall not be made unless approved by the majority of said trustees at a regular meeting, and by the governor and council.

Section 2. This act shall take effect upon its passage.

Approved June 16, 1913.

Chap. 828 An Act to authorize the city of Lowell to make certain payments to John W. Fox.

Be it enacted, etc., as follows:

City of Lowell may pay annuity to John W. Fox.

Section 1. The city of Lowell may annually, by vote of the municipal council, provide for the payment of a sum of money, not exceeding five hundred dollars in any year, to John W. Fox, formerly a member of the police department of said city, who was incapacitated for further service by injuries sustained in the active performance of his duty. Said sum shall be payable in equal monthly instalments, and shall be in addition to the pension already awarded to him by said city.

Section 2. This act shall take effect upon its passage.

Approved June 16, 1913.

Chap. 829 An Act to create boards of parole and an advisory board of pardons.

Be it enacted, etc., as follows:

Board of parole for the state prison and

Section 1. The chairman of the board of prison commissioners, the deputy commissioner whose appointment

is authorized by this act and three persons appointed by the governor, with the advice and consent of the council, shall constitute the board of parole for the state prison and the Massachusetts reformatory. The terms of office of the appointed members shall be so arranged and designated at the time of appointment that the term of one shall expire on the first Wednesday of July in each of the three years following the present year, and in each year thereafter the governor shall appoint one member for a term of three years from the first Wednesday of July in the year of his appointment. A vacancy in the appointive members of the board shall be filled in the same manner, for the unexpired term. Any member of the board appointed by the governor may be removed by the governor, with the advice and consent of the council. The deputy commissioner shall be the clerk of the board and shall keep the records of its proceedings.

Massachusetts reformatory, appointment, terms, etc.

Vacancy.

Clerk.

Section 2. The chairman of the board of prison commissioners and the two women members thereof shall constitute a board of parole for the reformatory for women. The clerk of the reformatory shall be the clerk of the board and keep the records of its proceedings.

Board of parole for reformatory for women.

Section 3. All the powers of the board of prison commissioners relating to the granting of permits to be at liberty from the state prison, the Massachusetts reformatory and the reformatory for women are hereby transferred to and vested in the respective boards of parole for said institutions. All provisions of law relative to the granting of permits to be at liberty by the prison commissioners so far as they are applicable, shall govern the granting of such permits under this act. The board of prison commissioners shall furnish to the boards of parole all information in its possession relating to any prisoner whose case is under consideration. No permit to be at liberty from the state prison, authorized by chapter four hundred and fifty-one of the acts of the year nineteen hundred and eleven, or by chapter one hundred and three of the acts of the year nineteen hundred and twelve, and no permit to be at liberty from the Massachusetts reformatory or the reformatory for women, shall be granted until the prisoner has been seen by the parole board of the institution in which he is held. When a board of parole has granted a permit to be at liberty to any prisoner, it shall notify the board of prison commissioners, which shall issue the permit as directed by the board of parole.

Powers and duties of boards.

Deputy prison commissioner, appointment, etc.

SECTION 4. The board of prison commissioners shall appoint a deputy commissioner, who shall receive a salary of twenty-five hundred dollars a year; shall hold office during the pleasure of the board and shall perform his duties under the direction of the chairman. The board shall require him to direct and supervise the work of the agents for the care, assistance and oversight of paroled or discharged prisoners, and he shall perform such other duties as it shall direct. It may delegate to him powers and duties relating to the visitation of county prisons and the inspection of their books and affairs.

Agents for aiding discharged prisoners, appointment, etc.

SECTION 5. The board of prison commissioners may appoint at an annual salary to be fixed by the board, not to exceed sixteen hundred dollars, such number of agents, in addition to those now authorized, as may be needed to secure employment for prisoners who are to be, or have been, released from the state prison, the Massachusetts reformatory and the reformatory for women, and to enable the board to carry out the laws relative to the identification of criminals and the parole of prisoners from the state prison. It shall be the duty of the board, through its agents, to exercise a careful supervision over all prisoners absent from said institutions upon parole, and it shall require from said agents reports regarding such prisoners as are not complying with the conditions upon which they were released. Every agent appointed by the board shall give his entire time, during business hours, to his duties. No additional agents shall be appointed under this section until the governor and council shall authorize the making of such appointments.

Advisory board of pardons, duties, etc.

SECTION 6. The board of parole for the state prison and the Massachusetts reformatory shall be an advisory board of pardons. It shall be the duty of said board to consider carefully and thoroughly the merits of all applications for pardon or commutation of sentence referred to it by the governor, and it shall make to him, in writing, without publicity, a report containing its conclusions and recommendations. No such report shall be made without the concurrence of a majority of its members. Before considering any application for pardon or commutation of sentence, if the conviction of the prisoner was had in the superior court said advisory board of pardons shall notify the district attorney, who shall report the facts of the case as they appeared at the trial, or if the conviction was upon a plea of guilty, the

facts as he understands them; the names of all witnesses in the case, and his recommendation. If the petitioner is serving a sentence in the state prison for murder or for a felony, the attorney-general shall also be notified. If the conviction was in a municipal, police or district court the justice thereof shall make to said board a similar report and recommendation. The attorney-general, district attorney or justice, as the case may be, shall be notified of the hearing upon the application for pardon and they or their representatives may be present at such hearing, may examine the petitioner's witnesses, and may be heard. Said board shall not review the proceedings of the trial court, and shall not consider any questions regarding the correctness, regularity or legality of such proceedings, but shall confine itself solely to matters which properly bear upon the propriety of the extension of clemency to the applicant. Said board, from time to time, may make rules relative to the calling of meetings and to the proceedings thereat. Any member thereof may administer an oath or affirmation to any person offering to testify before it.

Compensation of members, etc.

Section 7. The ex officiis members of each board of parole shall receive such compensation as the governor and council, from time to time, shall fix for service rendered under this act. Appointed members shall receive the sum of fifteen dollars for each day of actual service so rendered. Members shall be reimbursed for actual expenses incurred in the performance of official duties.

Repeal.

Section 8. So much of section one of chapter two hundred and twenty-two of the Revised Laws, as authorizes the board of prison commissioners to delegate any of its powers and duties to the chairman of the board, is hereby repealed, and all powers and duties so delegated are hereby revested in the board.

Time of taking effect.

Section 9. This act shall take effect on the first day of July of the current year. *Approved June 18, 1913.*

An Act to provide for the construction of additions to the state house. *Chap.* 830

Be it enacted, etc., as follows:

State house building commission to construct additions to the state house.

Section 1. For the purpose of providing suitable and adequate accommodations for the legislative and executive departments of the state government and for the several boards, commissions and bureaus of the commonwealth

whose offices are, or may be, situated in the city of Boston, and for any other necessary or convenient uses of the commonwealth in the transaction of its business, the state house building commission, hereby established, shall construct additions to the state house in accordance with the provisions of this act. The said commission shall consist of three members, one of whom shall be an experienced builder, and shall be appointed by the governor, with the advice and consent of the council. The general plan of the said additions shall be substantially in accordance with the report of the state house commission to the general court, made in accordance with the provisions of chapter one hundred and fifty of the resolves of the year nineteen hundred and twelve, said report being house document number 133 of the year nineteen hundred and thirteen.

Manner of construction.

Section 2. The exterior or surface material of the additions constructed in accordance herewith shall be of such material as the commission may determine: *provided, however*, that brick shall not be used unless the commission decides that it is desirable to restore the Bulfinch front to its original condition, in which case unpainted red brick may be used, and the Bulfinch front shall not be altered, except that it may be cleaned of paint or painted so as to harmonize with the extensions. There shall be a lateral wing on the west side of the present building and a lateral wing on the east side with forward projections, in accordance with the recommendations of the said report. The said commission shall cause to be removed all the buildings now standing on lots numbered 8, 10, 12 and 14 Mount Vernon street, in the city of Boston, now the property of the commonwealth.

Proviso.

Construction of approaches, passageways, etc.

Section 3. The commission may lay out by change of grade or otherwise, any part of such land, and also such parts of land in the state house park on the east as may be required for the purposes of this act. It may construct new approaches from any adjacent public streets and may build retaining walls and fences, and may do whatever else may be necessary to carry out the purposes of this act. There shall be constructed and shall always be maintained adequate passageways for foot passengers, from north to south, through the said east and west extensions.

Plans and specifications.

Section 4. The said commission may invite architects or architectural firms to submit competitive plans and

specifications for constructing the said additions to the state house and for making the alterations provided for by this act and by the said report, and the commission may accept one of the said plans, or any part thereof, or may take such means as it may deem proper to secure other plans in case no one of the plans so submitted is satisfactory to the commission. No plan shall finally be selected until it is approved by the governor and council. The commission may employ a superintendent whose compensation shall be determined by the governor and council.

Contracts.

Section 5. The said commission is hereby authorized to make on behalf of the commonwealth all contracts for the construction of said building: *provided,* that all work on said building shall be done by express contract and that proposals for work or material exceeding two thousand dollars in value shall be advertised for in at least two daily papers published in the city of Boston, and one each in the cities of Worcester, Springfield, Fall River, Lowell and Lawrence. All contracts shall be approved by the governor and council. The work of removal of the old buildings and construction of the additions herein provided for shall begin as soon as is possible after the appointment of the commission hereby established.

Proviso.

Compensation.

Section 6. For the services which the state house building commission may render in carrying out the purposes of this act, each member of the commission shall receive such compensation as the governor and council may determine, to be paid out of the fund hereinafter provided for. No commissioner appointed under this act shall be, directly or indirectly, in any way interested in any contract made under this act, under penalty of removal from office by the governor and council, and of punishment as provided by section nine of chapter two hundred and ten of the Revised Laws.

Issue of bonds, etc.

Section 7. In order to defray the expenses which may be incurred in carrying out the provisions of this act, the treasurer and receiver general is hereby authorized to issue, in the name and behalf of the commonwealth, bonds or scrip to an amount not exceeding nine hundred thousand dollars. The said bonds or scrip shall be issued upon the serial payment plan from time to time as may be necessary, in such amounts and upon such terms, and shall be payable serially in such amounts and at such times, within a period not

exceeding thirty years, as shall be determined by the treasurer and receiver general, with the approval of the governor and council, to be for the best interests of the commonwealth.

SECTION 8. This act shall take effect upon its passage.

Approved June 18, 1913.

Chap. 831

AN ACT TO REGULATE THE LABOR OF MINORS.

Be it enacted, etc., as follows:

1909, 514, § 56, amended.

SECTION 1. Section fifty-six of chapter five hundred and fourteen of the acts of the year nineteen hundred and nine, as amended by section fourteen of chapter seven hundred and seventy-nine of the acts of the year nineteen hundred and thirteen, is hereby further amended by striking out the said section and inserting in place thereof the following:

Employment of minors under fourteen.

— *Section 56.* No minor under fourteen years of age shall be employed or permitted to work in or about or in connection with any factory, workshop, manufacturing, mechanical or mercantile establishment, barber shop, bootblack stand or establishment, public stable, garage, brick or lumber yard, telephone exchange, telegraph or messenger office or in the construction or repair of buildings, or in any contract or wage-earning industry carried on in tenement or other houses. No minor under fourteen years of age shall be employed at work performed for wage or other compensation, to whomsoever payable, during the hours when the public schools are in session or shall be employed at work before half-past six o'clock in the morning or after six o'clock in the evening.

MINORS UNDER SIXTEEN.

Occupations in which employment of minors under sixteen is forbidden.

SECTION 2. No minor under sixteen years of age shall be employed or permitted to work in operating or assisting in operating any of the following machines: (1) circular or band saws, (2) wood shapers, (3) wood jointers, (4) planers, (5) picker machines or machines used in picking wool, cotton, hair or any other material, (6) paperlace machines, (7) leather burnishing machines, (8) job or cylinder printing presses operated by power other than foot power, (9) stamping machines used in sheet metal and tinware or in paper or leather manufacturing or in washer and nut factories, (10) metal or paper cutting machines, (11) corner staying machines in paper box factories, (12) corrugating rolls such as are used in corrugated paper or in roofing, or washboard

factories, (13) steam boilers, (14) dough brakes or cracker machinery of any description, (15) wire or iron straightening or drawing machinery, (16) rolling mill machinery, (17) power punches or shears, (18) washing or grinding or mixing machinery, (19) calender rolls in paper and rubber manufacturing or other heavy rolls driven by power, (20) laundering machinery, (21) upon or in connection with any dangerous electrical machinery or appliances.

Same subject.

Section 3. No minor under sixteen years of age shall be employed or permitted to work in any capacity in adjusting, or assisting in adjusting any hazardous belt to any machinery, or in oiling or cleaning hazardous machinery, or in proximity to any hazardous or unguarded belts, machinery or gearing while such machinery or gearing is in motion; nor on scaffolding; nor in heavy work in the building trades; nor in stripping, assorting, manufacturing or packing tobacco; nor in any tunnel; nor in a public bowling alley; nor in a pool or billiard room.

Duties of state board of labor and industries.

Section 4. The state board of labor and industries may from time to time, after a hearing or hearings duly held, determine whether or not any particular trade, process of manufacture or occupation in which the employment of minors under the age of sixteen years is not already forbidden by law, or any particular method of carrying on such trade, process of manufacture or occupation, is sufficiently dangerous or is sufficiently injurious to the health or morals of minors under sixteen years of age to justify their exclusion therefrom. No minor under sixteen years of age shall be employed or permitted to work in any trade, process or occupation thus determined to be dangerous or injurious to such minors.

MINORS UNDER EIGHTEEN.

Occupations in which the employment of minors under eighteen is forbidden.

Section 5. No minor under eighteen years of age shall be employed or permitted to work: (1) in or about blast furnaces; (2) in the operation or management of hoisting machines; (3) in oiling or cleaning hazardous machinery in motion; (4) in the operation or use of any polishing or buffing wheel; (5) at switch tending; (6) at gate tending; (7) at track repairing; (8) as a brakeman, fireman, engineer, motorman or conductor upon a railroad or railway; (9) as a fireman or engineer upon any boat or vessel; (10) in operating motor vehicles of any description; (11) in or about establishments wherein gunpowder, nitro-glycerine, dynamite

or other high or dangerous explosive is manufactured or compounded; (12) in the manufacture of white or yellow phosphorus or phosphorus matches; (13) in any distillery, brewery, or any other establishment where malt or alcoholic liquors are manufactured, packed, wrapped or bottled; (14) in that part of any hotel, theatre, concert hall, place of amusement or other establishment where intoxicating liquors are sold. The provisions of this section shall not prohibit the employment of minors in drug stores.

Not to prohibit employment in drug stores.

Duties of state board of labor and industries.

SECTION 6. The state board of labor and industries may from time to time, after a hearing or hearings duly held, determine whether or not any particular trade, process of manufacture or occupation, in which the employment of minors under the age of eighteen years is not already forbidden by law, or any particular method of carrying on such trade, process of manufacture or occupation, is sufficiently dangerous or is sufficiently injurious to the health or morals of minors under eighteen years of age to justify their exclusion therefrom. No minor under eighteen years of age shall be employed or permitted to work in any trade, process or occupation thus determined to be dangerous or injurious to such minors.

PERSONS UNDER TWENTY-ONE.

Employment of persons under twenty-one.

SECTION 7. No person under twenty-one years of age shall be employed or permitted to work in, about or in connection with any saloon or bar room where alcoholic liquors are sold. No such person in any employment shall knowingly be taken, sent or caused or permitted to be sent, to any disorderly house or house of prostitution or assignation or other immoral place of resort or amusement.

Hours of labor of minors under sixteen.

SECTION 8. No minor under sixteen years of age shall be employed or permitted to work in, about or in connection with any establishment or occupation named in section one for more than six days in any one week, nor more than forty-eight hours in any one week, nor more than eight hours in any one day, nor before the hour of half-past six o'clock in the morning, nor after the hour of six o'clock in the evening of any day.

Hours of labor of certain minors, etc.

SECTION 9. No boy under the age of eighteen years and no girl under the age of twenty-one years shall be employed or permitted to work in, about or in connection with any establishment or occupation named in section one for more

than six days in any one week, nor more than fifty-four hours in any one week, nor more than ten hours in any one day, nor before the hour of five o'clock in the morning, nor after the hour of ten o'clock in the evening, nor in the manufacture of textile goods after the hour of six o'clock in the evening.

Employment of persons under twenty-one as messengers, etc.

Section 10. Except for the delivery of messages directly connected with the business of conducting or publishing a newspaper, to a newspaper office or directly between newspaper offices, no person under the age of twenty-one years shall be employed or permitted to work as messenger for a telegraph, telephone or messenger company in the distribution, transmission or delivery of goods or messages before five o'clock in the morning or after ten o'clock in the evening of any day.

STREET TRADES.

Employment of minors in certain street trades.

Section 11. No boy under twelve years of age and no girl under eighteen years of age shall, in any city having a population of over fifty thousand inhabitants, sell, expose or offer for sale any newspapers, magazines, periodicals, or any other articles of merchandise of any description, or exercise the trade of bootblack or scavenger, or any other trade, in any street or public place.

Requirements for employment.

Section 12. No boy under sixteen years of age shall, in any city having a population of over fifty thousand inhabitants, engage in any of the trades or occupations mentioned in the preceding section, unless he complies with all of the provisions of this act and with all of the legal requirements concerning school attendance, and unless a badge as hereinafter provided shall have been issued to him by the officer authorized to issue employment certificates in the city or town where such boy resides.

Issue of badges, etc.

Section 13. Such badge shall not be issued until the officer issuing the same shall have received, examined, approved and filed evidence that such boy is twelve years of age or upwards, which shall consist of the proof of age required for the issuing of an employment certificate. Such officer may refuse to issue such badge to any boy who, in his opinion after due investigation, is found to be physically or mentally incompetent or unable to do such work in addition to the regular school attendance required by law.

Badges not transferable, etc.

Section 14. The badge herein required shall be worn, conspicuously exposed at all times, by such boy while so working. No boy to whom the said badge has been issued

shall transfer the same to any other boy. He shall exhibit the same upon demand at any time to any officer charged with the duty of enforcing the provisions of this act which relate to street trades. The school committee of any city may make further regulations and requirements for the issuance of the badge required by this act.

Hours of employment.

SECTION 15. No boy under sixteen years of age shall engage in any of the trades or occupations mentioned in section eleven in any street or public place after nine o'clock in the evening or before five o'clock in the morning of any day, nor, unless provided with an employment certificate, during the hours when the public schools in the city where such boy resides, or the schools which such boy attends, are in session.

ENFORCEMENT.

Hours of employment to be posted, etc.

SECTION 16. Except as provided in section seventeen, every person employing any minor in any establishment mentioned in this act shall post and keep posted in a conspicuous place in the room where such minor is employed or permitted to work a printed notice stating the number of hours such minor is required or permitted to work on each day of the week, with the total for the week, the hours of commencing and stopping work and the hours when the time allowed for meals begins and ends for each day of the week.

The employment of any minor at any time other than as stated in said printed notice shall be deemed a violation of the provisions of this section. The terms of such notice for any week or part thereof shall not be changed after the beginning of labor on the first day of the week, without the written consent of the commissioner of labor.

List of minor employees, etc., to be kept on file, etc.

SECTION 17. Every employer who employs any minor subject to the provisions of this act and who is engaged in furnishing public service shall post in a conspicuous place in every room in which such persons are employed a printed notice stating separately the hours of employment for each shift or tour of duty and the time allowed for meals.

A list by name of minor employees, stating in which shift each is employed, shall be kept on file at each place of employment for inspection by employees and officers charged with the enforcement of the law.

Certain provisions not to apply in cases of extraordinary emergency, etc.

The provisions of this act, so far as they relate to hours of employment of minors of eighteen years or over, shall not apply to such employers in cases of extraordinary emergency

or extraordinary public requirement, but in such cases no employment contrary to the provisions of this act shall be considered as legalized until a written report of the day and hour of its occurrence and its duration is sent to the commissioner of labor.

Printed forms of laws to be furnished, etc.

Section 18. The state board of labor and industries, after approval by the attorney-general, shall furnish the printed forms of the laws and notices required by this act, upon application, to all persons required to post the same.

Duties of inspectors, etc.

The inspectors of the state board of labor and industries shall visit and inspect the places of employment mentioned in this act and shall ascertain whether any minors are employed therein contrary to the provisions of this act, and shall prosecute violations thereof. They shall report to the school authorities any cases of children under sixteen years of age discharged for illegal employment. Any person shall have the right to prosecute violations of this act.

Enforcement of provisions of act.

Section 19. The provisions of this act relating to minors engaged in the occupations mentioned in section eleven shall be enforced by the truant officers and school attendance officers, who are hereby vested with full police power for the purpose, and by police officers. The school committee of each city may appoint or designate one or more special truant or attendance officers to have supervision over minors engaged in such occupations and over the enforcement of the said provisions.

PENALTIES.

Penalties for unlawful employment of minor.

Section 20. Any person who, whether by himself or for others, or through agents, servants or foremen employs, induces or permits any minor to work contrary to any of the provisions of this act, shall be deemed guilty of a misdemeanor, and shall, for a first offence, be punished by a fine of not less than ten dollars nor more than fifty dollars, or by imprisonment for not more than thirty days, or by both such fine and imprisonment; and for a second or subsequent offence, by a fine of not less than fifty dollars nor more than two hundred dollars or by imprisonment for not more than sixty days, or by both such fine and imprisonment.

The employment of any minor in violation of any provision of this act after the person employing such minor has been notified thereof in writing by any authorized inspector, school attendance officer or truant officer, shall constitute

a separate offence for every day during which the employment continues.

Penalty for hindering inspectors, etc.

Section 21. Any person who hinders or delays any authorized inspector, school attendance officer, or truant officer in the performance of his duties, or who refuses to admit to or locks out any such inspector or officer from any place which such inspector or officer is authorized to inspect, or who refuses to give to such inspector or officer such information as may be required for the proper enforcement of this act, shall be deemed guilty of a misdemeanor, and shall be punished by a fine of not less than twenty-five dollars nor more than two hundred dollars, or by imprisonment for not more than sixty days, or by both such fine and imprisonment.

Penalty for furnishing articles for unlawful sale by minors, etc.

Section 22. Any person who furnishes or sells to any minor any article of any description with the knowledge that the minor intends to sell such articles in violation of any provision of this act, or after having received written notice to this effect from any officer charged with the enforcement of any provision of this act, or any person who knowingly procures or encourages any minor to violate any of the provisions of this act, shall be deemed guilty of a misdemeanor, and shall be punished by a fine of not less than ten dollars nor more than two hundred dollars, or by imprisonment for not more than sixty days, or by both such fine and imprisonment.

Penalties upon parents, guardians, etc.

Section 23. Any parent, guardian or custodian having a minor under his control, who compels or permits such minor to work in violation of any provision of this act, or who knowingly certifies to any materially false statement for the purpose of obtaining the illegal employment of such minor, shall be deemed guilty of a misdemeanor, and, upon conviction, shall for the first offence be punished by a fine of not less than two dollars nor more than ten dollars, or by imprisonment for not more than five days, or by both such fine and imprisonment; and for a second or subsequent offence he shall be punished by a fine of not less than five dollars nor more than twenty-five dollars, or by imprisonment for not more than ten days, or by both such fine and imprisonment.

Penalty upon certain officers.

Section 24. Any inspector, school attendance officer, truant officer, superintendent of schools or other person authorized to issue the badges required by this act, or any

other person charged with the enforcement of any of the provisions of this act, who knowingly violates or fails to comply with any of the provisions of this act shall be deemed guilty of a misdemeanor, and, upon conviction, shall be punished by a fine of not less than ten dollars nor more than two hundred dollars or by imprisonment for not more than sixty days, or by both such fine and imprisonment.

Penalty for unlawfully engaging in certain street trades, etc.

Section 25. Any minor who shall engage in any of the trades or occupations mentioned in section eleven in violation of any provision of this act shall, for the first offence, be warned by the officers whose duty it is to enforce the provisions of this act relating to street trades, and the parent, guardian or custodian shall be notified. In case of a second violation, such minor may be arrested and dealt with as a delinquent child, or, if over seventeen years of age, shall be punished by a fine not exceeding fifteen dollars upon the recommendation of the principal or chief executive officer of the school which such minor is attending, or upon the complaint of any school attendance officer, truant officer, police officer or probation officer, the badge of any minor who violates any provision of this act, or who becomes delinquent or fails to comply with all legal requirements concerning school attendance, may be revoked by the officer issuing the same for a period of three months and the badge taken from such minor. The refusal of any minor to surrender such badge, or the working at any of the occupations mentioned in section eleven by any minor after notice of the revocation of such badge, shall be deemed a violation of this act.

Courts having jurisdiction.

Section 26. Police, district and municipal courts and trial justices and the Boston juvenile court as to minors under seventeen years of age shall have jurisdiction of offences arising under this act. A summons or warrant issued by any such court or justice may be served at the direction of the court or magistrate by an inspector of the state board of labor and industries or by a truant officer or school attendance officer, or by any officer qualified to serve criminal process.

MISCELLANEOUS.

Act construed.

Section 27. Nothing in this act shall be construed to apply to the juvenile reformatories, other than the Massachusetts reformatory, or to prevent minors of any age from

receiving manual training or industrial education in or in connection with any school in this commonwealth which has duly been approved by the school committee or by the board of education.

Repeal.

SECTION 28. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

Time of taking effect.

SECTION 29. This act shall take effect on the first day of September, nineteen hundred and thirteen.

Approved June 19, 1913.

Chap. 832 AN ACT TO ESTABLISH A RETIREMENT SYSTEM FOR PUBLIC SCHOOL TEACHERS.

Be it enacted, etc., as follows:

CONSTRUCTION.

Certain words and terms defined.

SECTION 1. The following words and phrases as used in this act, unless a different meaning is plainly required by the context, shall have the following meanings: —

(1) "Retirement system" shall mean the arrangement provided in this act for payment of annuities and pensions to teachers.

(2) "Annuities" shall mean payments for life derived from contributions from teachers.

(3) "Pensions" shall mean payments for life derived from contributions from the commonwealth.

(4) "Teacher" shall mean any teacher, principal, supervisor or superintendent employed by a school committee, or board of trustees, in a public day school within the commonwealth.

(5) "Public school" shall mean any day school conducted within this commonwealth under the order and superintendence of a duly elected school committee and also any day school conducted under the provisions of chapter four hundred and seventy-one of the acts of the year nineteen hundred and eleven.

(6) "Regular interest" shall mean interest at three per cent per annum, compounded annually on the last day of December of each year.

(7) "Retirement board" shall mean the teachers' retirement board, as provided in section four of this act.

(8) "Retirement association" shall mean the teachers' retirement association, as provided in section three of this act.

(9) "Expense fund" shall mean the fund provided for in paragraph numbered one in section five of this act.

(10) "Annuity fund" shall mean the fund provided for in paragraph numbered two in section five of this act.

(11) "Pension fund" shall mean the fund provided for in paragraph numbered three in section five of this act.

(12) "School year" shall mean the twelve months from the first day of July of any year to the thirtieth day of June next succeeding.

(13) "Assessments" shall mean the annual payments to the annuity fund by members of the association.

ESTABLISHMENT OF A TEACHERS' RETIREMENT SYSTEM.

Section 2. A teachers' retirement system shall be established on the first day of July, nineteen hundred and fourteen. Teachers' retirement system established.

TEACHERS' RETIREMENT ASSOCIATION.

Section 3. A teachers' retirement association shall be organized among the teachers in the public schools as follows: — Organization.

(1) All teachers, except those specified in paragraph (3) of this section, who enter the service of the public schools for the first time on or after July first, nineteen hundred and fourteen, shall become thereby members of the association.

(2) All teachers, except those specified in paragraph (3) of this section, who shall have entered the service of the public schools before June thirtieth, nineteen hundred and fourteen, may at any time between July first, nineteen hundred and fourteen, and September thirtieth, nineteen hundred and fourteen, upon application in writing to the commissioner of education, become members of the retirement association. Any teacher failing to do so may thereafter become a member of the retirement board by paying an amount equal to the total assessments, together with regular interest thereon, that he would have paid if he had joined the retirement association on September thirtieth, nineteen hundred and fourteen.

(3) Teachers in the service of the public schools of the city of Boston shall not be included as members of the retirement association.

STATE TEACHERS' RETIREMENT BOARD.

Retirement board.

SECTION 4. (1) The management of the retirement system is hereby vested in the teachers' retirement board, consisting of seven members: the insurance commissioner for the commonwealth, the bank commissioner for the commonwealth, the commissioner of education for the commonwealth, three members of the retirement association and one other person. Upon organization of the retirement association the members thereof shall elect from among their number in a manner to be approved by the insurance commissioner, the bank commissioner and the commissioner of education, three persons to serve upon the retirement board, one member to serve for one year, one for two years and one for three years, and thereafter the members of the retirement association shall elect annually from among their number in a manner to be approved by the retirement board one person to serve upon the retirement board for the term of three years. The seventh member of the retirement board shall be elected annually by the other six to serve for the term of one year. On a vacancy occurring on the board, a successor of such person whose place has become vacant shall be chosen in the same manner as his predecessor to serve until the next annual election. Until the organization of the retirement association and the election of three representatives therefrom, the insurance commissioner, the bank commissioner and the commissioner of education shall be empowered to perform the duties of the retirement board.

(2) The members of the retirement board shall serve without compensation, but they shall be reimbursed from the expense fund of the retirement association for any expenditures or loss of salary or wages which they may incur through serving on the board. All claims for reimbursement on this account shall be subject to the approval of the governor and council.

(3) The retirement board shall have power to make by-laws and regulations not inconsistent with the provisions of this act; and to employ a secretary who shall give a bond in such amount as the board shall approve, and clerical and other assistance as may be necessary. The salaries shall be fixed by the board, with the approval of the governor and council.

(4) The retirement board shall provide for the payment of retirement allowances and such other expenditures as are required by the provisions of this act.

(5) The retirement board shall adopt for the retirement system one or more mortality tables, and shall determine what rates of interest shall be established in connection with such tables, and may later modify such tables or prescribe other tables to represent more accurately the expense of the retirement system or may change such rates of interest, and may determine the application of the changes made.

(6) The retirement board shall perform such other functions as are required for the execution of the provisions of this act.

CREATION OF FUNDS.

Creation of funds.

Section 5. The funds of the retirement system shall consist of an expense fund, an annuity fund and a pension fund.

Expense fund.

(1) The expense fund shall consist of such amounts as shall be appropriated by the general court from year to year on estimates submitted by the retirement board to defray the expense of the administration of this act, exclusive of the payment of retirement allowances.

Annuity fund.

(2) The annuity fund shall consist of assessments paid by members of the retirement association, and interest derived from investments of the annuity fund. Each member of the retirement association shall pay into the annuity fund, by deduction from his salary in the manner provided in section nine, paragraph five, of this act, such assessments upon his salary as may be determined by the retirement board. The rate of assessment shall be established by the retirement board on the first day of July of each year after a prior notice of at least three months, and shall at any given time be uniform for all members of the retirement association, and shall not be less than three per cent nor more than seven per cent of the member's salary: *provided, however,* that when the total sum of assessments on the salary of any member at the rate established by the retirement board would amount to more than one hundred dollars or less than thirty-five dollars for any school year, such member shall in lieu of assessments at the regular rate be assessed one hundred dollars a year or thirty-five dollars a year as the case may be, payable in equal instalments to be assessed for the number of months during which the schools of the community in which

Rate of assessment.

Proviso.

such member is employed are commonly in session. Any member of the retirement association who shall for thirty years have paid regular assessments to the annuity fund as provided herein, shall be exempt from further assessments; but such member may thereafter, if he so elects, continue to pay his assessments to the fund. No member so electing shall pay further assessments after the total sum of assessments paid by him shall at any time have amounted, with regular interest, to a sum sufficient to purchase an annuity of five hundred dollars at age sixty; and interest thereafter accruing shall be paid to the member at the time of his retirement.

Pension fund.

(3) The pension fund shall consist of such amounts as shall be appropriated by the general court from time to time on estimates submitted by the retirement board for the purpose of paying the pensions provided for in this act.

PAYMENT OF RETIREMENT ALLOWANCES.

Age at which members may be retired.

SECTION 6. (1) Any member of the retirement association may retire from service in the public schools on attaining the age of sixty years, or at any time thereafter, if incapable of rendering satisfactory service as a teacher, may, with the approval of the retirement board, be retired by the employing school committee.

(2) Any member of the retirement association, on attaining the age of seventy years, shall be retired from service in the public schools.

Payment of retirement allowances.

(3) A member of the retirement association after his retirement under the provisions of paragraphs numbered (1) or (2) of this section, shall be entitled to receive from the annuity fund, as he shall elect at the time of his retirement, on the basis of tables adopted by the retirement board: — (*a*) an annuity, payable in quarterly payments, to which the sum of his assessments under section five, paragraph (2), with regular interest thereon, shall entitle him; or, (*b*) an annuity of less amount, as determined by the retirement board for the annuitants electing such option, payable in quarterly payments, with the provision that if the annuitant dies before receiving payments equal to the sum of his assessments under section five, paragraph (2), with regular interest, at the time of his retirement, the difference between the total amount of said payments and the amount of his

contributions with regular interest shall be paid to his legal representatives.

(4) Any member of the retirement association receiving payments of an annuity as provided in paragraph numbered (3) of this section shall, if not rendered ineligible therefor by the provisions of section twelve of this act, receive with each quarterly payment of his annuity an equal amount to be paid from the pension fund as directed by the retirement board.

(5) Any teacher who shall have become a member of the retirement association under the provisions of paragraph numbered (2) of section three, and who shall have served fifteen years or more in the public schools of the commonwealth, not less than five of which shall immediately precede retirement, shall, on retiring as provided in paragraphs (1) and (2) of this section, be entitled to receive a retirement allowance as follows: — (*a*) such annuity and pension as may be due under the provisions of paragraphs numbered (3) and (4) of this section; (*b*) an additional pension to such an amount that the sum of this additional pension and the pension provided in paragraph (4) of this section shall equal the pension to which he would have been entitled under the provisions of this act if he had paid thirty assessments on his average yearly wage for the fifteen years preceding his retirement and at the rate in effect at the time of his retirement: *provided*, (1) that if his term of service in the commonwealth shall have been over thirty years the thirty assessments shall be reckoned as having begun at the time of his entering service and as drawing regular interest until the time of retirement; and *further provided*, (2) that if the sum of such additional pension together with the annuity and pension provided for by paragraphs numbered (3) and (4) of this section is less than three hundred dollars in any one year, an additional sum sufficient to make an annual retirement allowance of three hundred dollars shall be paid from the pension fund. Provisos.

(6) If at any time it is impossible or impracticable to consult the original records as to wages received by a member during any period, the retirement board shall determine the pension to be paid under paragraph numbered (5) (*b*) of this section in accordance with the evidence they may be able to obtain.

WITHDRAWAL AND REINSTATEMENT.

Withdrawal and reinstatement.

SECTION 7. (1) Any member of the retirement association withdrawing from service in the public schools before becoming eligible to retirement shall be entitled to receive from the annuity fund all amounts contributed as assessments, together with regular interest thereon, in the manner hereinafter provided.

(2) If such withdrawal shall take place before ten annual assessments have been paid, the total amount to which such member is entitled as determined by the retirement board under the provisions of this act shall be paid to him in four annual instalments.

(3) If such withdrawal shall take place after ten annual assessments have been paid the amount so refunded shall be in the form of such annuity for life based on the contributions of such member, together with regular interest thereon, as may be determined by the retirement board according to its annuity tables, or in four annual instalments, as such member may elect.

(4) If a member of the association withdrawing and receiving payments in accordance with paragraphs numbered (2) and (3) of this section, shall die before the amount of such payments equals the amount of his contributions to the annuity fund with regular interest, the difference between the amount of such payments and the amount of his contributions with regular interest shall be paid to his legal representatives.

(5) Any member of the retirement association who shall have withdrawn from service in the public schools shall, on being re-employed in the public schools, be reinstated in the retirement association in accordance with such plans for reinstatement as the retirement board shall adopt.

(6) If a member of the retirement association shall die before retirement, the full amount of his contributions to the annuity fund with regular interest to the day of his death shall be paid to his legal representatives.

TAXATION, ATTACHMENTS AND ASSIGNMENTS.

Exemption from taxation, attachments, etc.

SECTION 8. That portion of the salary or wages of a member deducted or to be deducted under this act, the right of a member to an annuity or pension, and all his rights in the funds of the retirement system shall be exempt from

taxation, and from the operation of any laws relating to bankruptcy or insolvency, and shall not be attached or taken upon execution or other process of any court. No assignment of any right in, or to, said funds shall be valid. The funds of the retirement system, so far as invested in personal property, shall be exempt from taxation.

DUTIES OF THE SCHOOL COMMITTEE.

Duties of school committees.

Section 9. (1) The school committee of each town and city in the commonwealth shall, before employing in any teaching position any person to whom this act may apply, notify such person of his duties and obligations under this act as a condition of his employment.

(2) On or before October first of each year the school committee of each town and city in the commonwealth shall certify to the retirement board the names of all teachers to whom this act shall apply.

(3) The school committee of each town and city in the commonwealth shall, on the first day of each calendar month, notify the retirement board of the employment of new teachers, removals, withdrawals, changes in salary of teachers, that shall have occurred during the month preceding.

(4) Under the direction of the retirement board the school committee of each town or city in the commonwealth shall furnish such other information as the board may require relevant to the discharge of the duties of the board.

(5) The school committee of each town and city in the commonwealth shall, as directed by the retirement board, deduct from the amount of the salary due each teacher employed in the public schools of such city or town such amounts as are due as contributions to the annuity fund as prescribed in this act, shall send to the treasurer of said town or city a statement as voucher for such deductions, and shall send a duplicate statement to the secretary of the retirement board.

(6) The school committee of each town and city in the commonwealth shall keep such records as the retirement board may require.

DUTIES OF BOARDS OF TRUSTEES.

Duties of boards of trustees.

Section 10. In administering this act for the benefit of teachers in schools conducted in accordance with chapter four hundred and seventy-one of the acts of the year nineteen

hundred and eleven, the boards of trustees of said schools are hereby authorized and required to perform all the duties prescribed for school committees under this act.

CUSTODY AND INVESTMENT OF FUNDS.

Custody and investment of funds.

Section 11. (1) The treasurer of each town or city in the commonwealth on receipt from the school committee or board of trustees of the voucher for deductions from the teachers' salaries provided for in section nine shall transmit, monthly, the amounts specified in such voucher to the secretary of the retirement board.

(2) The secretary of the retirement board shall monthly pay to the treasurer of the commonwealth all sums collected by him under the provisions of paragraph (1).

(3) All funds of the retirement system shall be in custody and charge of the treasurer of the commonwealth and the treasurer shall invest such funds as are not required for current disbursements in accordance with the laws of the commonwealth governing the investment of sinking funds. He may, whenever he sells securities, deliver the securities so sold upon receiving the proceeds thereof, and may execute any or all documents necessary to transfer the title thereto.

(4) The treasurer of the commonwealth shall make such payments to members of the retirement association from the annuity fund and pension fund as the retirement board shall order to be paid in accordance with sections six and seven of this act.

(5) On, or before, the third Wednesday in January, the treasurer of the commonwealth shall file with the insurance commissioner for the commonwealth, and with the secretary of the retirement board, a sworn statement exhibiting the financial condition of the retirement system on the thirty-first day of the preceding December and its financial transactions for the year ending at such date. Such statement shall be in the form prescribed by the retirement board and approved by the insurance commissioner.

MEMBERSHIP IN OTHER RETIREMENT ASSOCIATIONS.

Membership in other retirement associations.

Section 12. (1) No person required to become a member of the association under the provisions of paragraph (1) of section three of this act shall be entitled to participate in the benefits of any other teachers' retirement system, sup-

ported in whole or in part by funds raised by taxation, or to a pension under the provisions of chapter four hundred and ninety-eight of the acts of the year nineteen hundred and eight, or chapter five hundred and eighty-nine of the acts of the year nineteen hundred and eight, as amended by chapter six hundred and seventeen of the acts of the year nineteen hundred and ten.

(2) No member of the retirement association shall be eligible to receive any pension as described in section six of this act, who is at the time in receipt of a pension paid from funds raised in whole or in part from taxation under the provisions of chapter four hundred and ninety-eight of the acts of the year nineteen hundred and eight, or chapter five hundred and eighty-nine of the acts of the year nineteen hundred and eight, as amended by chapter six hundred and seventeen of the acts of the year nineteen hundred and ten, or of any other act providing pensions for teachers, providing that this paragraph shall not be construed as applying to the Boston Teachers' Retirement Fund Association.

REIMBURSEMENT OF CITIES AND TOWNS.

Reimbursement of cities and towns.

Section 13. (1) Whenever, after the first day of July, nineteen hundred and fourteen, a town or city retires a teacher who is not eligible to a pension under the provisions of section six, paragraph (4) of this act, and pays to such teacher a pension in accordance with chapter four hundred and ninety-eight of the acts of the year nineteen hundred and eight, or chapter five hundred and eighty-nine of the acts of the year nineteen hundred and eight, as amended by chapter six hundred and seventeen of the acts of the year nineteen hundred and ten, and the school committee of said town or city certifies under oath to the retirement board to the amount of said pension, said town or city shall be reimbursed therefor annually by the commonwealth: *provided*, that no such reimbursement shall be in excess of the amount, as determined by the retirement board, to which said teacher would have been entitled as a pension, had he become a member of the retirement association under the provisions of section three, paragraph (2) of this act.

Proviso.

(2) On or before the first Wednesday of January of each year, the retirement board shall present to the general court, a statement of the amount expended previous to the preceding first day of July by cities and towns in the payment of

pensions under the provisions of the preceding paragraph, for which such cities and towns should receive reimbursement. On the basis of such a statement, the general court may make an appropriation for the reimbursement of such cities and towns up to such first day of July.

JURISDICTION OF COURT.

Enforcement of act.

SECTION 14. The superior court shall have jurisdiction in equity upon petition of the insurance commissioner or of any interested party to compel the observance and restrain the violation of this act, and of the rules and regulations established by the retirement board hereunder.

REFERENDUM AND REPEAL.

Question of repeal to be submitted to voters upon petition.

SECTION 15. Upon the petition of not less than five per cent of the legal voters of any city or town that has adopted chapter four hundred and ninety-eight of the acts of the year nineteen hundred and eight, this question shall be submitted, in case of a city, to the voters of such city at the next city election, and, in case of a town, to the voters of such town at the next annual town meeting, and the vote shall be in answer to the question to be placed upon the ballot: "Shall an act passed by the general court in the year nineteen hundred and eight, entitled, 'An Act to authorize cities and towns to establish pension funds for teachers in the public schools', be repealed?" and if a majority of the voters voting thereon at such election or meeting shall vote in the affirmative said act shall be repealed in such city or town.

Repeal.

SECTION 16. So much of chapter four hundred and ninety-eight of the acts of the year nineteen hundred and eight as authorizes its submission to the voters of a city or town for acceptance after the passage of this act is hereby repealed.

SECTION 17. This act shall take effect upon its passage.

Approved June 19, 1913.

Chap. 833 AN ACT RELATIVE TO THE HOURS OF LABOR OF EMPLOYEES OF STREET RAILWAY COMPANIES.

Be it enacted, etc., as follows:

1912, 533, amended.

SECTION 1. Chapter five hundred and thirty-three of the acts of the year nineteen hundred and twelve is hereby amended by striking out sections two and three and insert-

ing in place thereof the following: — *Section 2.* A day's work for all conductors, guards, drivers, motormen, brakemen and gatemen who are employed by or on behalf of a street railway or elevated railway company shall not exceed nine hours, and shall be so arranged by the employer that it shall be performed within eleven consecutive hours. No officer or agent of any such company shall require from said employees more than nine hours' work for a day's labor. Threat of loss of employment or threat to obstruct or prevent the obtaining of employment by the employees, or threat to refrain from employing any employee in the future shall be considered coercion and "requiring", within the meaning of this section. But nothing herein shall prevent an employee of the character mentioned in this act, if he so desires, from working more hours than those prescribed in the act for extra compensation.

Hours of labor of employees of street railway companies.

Section 2. A company which violates any provision of this act shall forfeit for each offence not less than one hundred dollars nor more than five hundred dollars.

Penalty.

Section 3. This act shall not affect any written contract existing at the date of its passage.

Existing contracts not affected.

(*This bill, returned by the governor to the house of representatives, the branch in which it originated, with his objections thereto, was passed by the house of representatives June 18, and, in concurrence, by the senate June 20, the objections of the governor notwithstanding, in the manner prescribed by the constitution; and thereby has the "force of a law".*)

An Act to establish the salaries of certain members of the district police. *Chap.* 834

Be it enacted, etc., as follows:

Section 1. The annual salary of the captain of the district police shall be two thousand dollars. The annual salary of the chief fire inspector shall be two thousand dollars. The annual salary of all other members, except such as are designated as chief, deputy chief, or otherwise as being in charge of departments, shall be graded by length of service as follows: First year, fifteen hundred dollars; second year, fifteen hundred and fifty dollars; third year, sixteen hundred dollars; fourth year, sixteen hundred and fifty dollars; fifth year, seventeen hundred dollars; and thereafter, seventeen hundred and fifty dollars.

Salaries of certain members of the district police established.

Repeal.

SECTION 2. All acts and parts of acts inconsistent herewith are hereby repealed.

SECTION 3. This act shall take effect upon its passage.

(*This bill, returned by the governor to the house of representatives, the branch in which it originated, with his objections thereto, was passed by the house of representatives June 20, and, in concurrence, by the senate June 20, the objections of the governor notwithstanding, in the manner prescribed by the constitution; and thereby has the "force of a law".*)

Chap. 835 AN ACT TO CODIFY THE LAWS RELATIVE TO PRIMARIES, CAUCUSES AND ELECTIONS.

Be it enacted, etc., as follows:

PART I.

GENERAL PROVISIONS.

Certain terms defined.

SECTION 1. Terms used in this act and in statutes relative to primaries, caucuses or elections shall be construed as follows, unless other meaning is clearly apparent from language or context, or unless such construction is inconsistent with the manifest intent of the legislature:

"Aldermen" shall include the boards or officials having the powers of aldermen in a city which does not have a board of aldermen.

"Assessors" shall mean the assessors of taxes of a city or town.

"Caucus" shall apply to any public meeting of the voters of a precinct, ward, or town, held under the provisions of this act relating to caucuses.

"Caucus officers" shall apply to chairmen, wardens, secretaries, clerks and inspectors, and, when on duty, to additional officers appointed or elected, or elected to fill a vacancy, and taking part in the conduct of caucuses.

"City election" shall apply to any election held in a city for the choice of a city officer by the voters whether for a full term or for the filling of a vacancy.

"City officer" shall apply to any person to be chosen by the voters at a city election.

"Convention" shall apply only to a meeting of delegates duly chosen in primaries or caucuses, representing two or more subdivisions of the district for which the convention is held.

"Election" shall apply to the taking of a vote upon a proposed amendment to the constitution; upon the question of granting licenses for the sale of intoxicating liquors; and upon any other question by law submitted to the voters. Certain terms defined.

"Election officer" shall apply to wardens, clerks, inspectors and ballot clerks, and to their deputies when on duty, and also to selectmen, town clerks, moderators and tellers when taking part in the conduct of elections.

"Elective office" shall apply to any office to be filled by the voters at any state, city or town election.

"Municipal party" shall apply to a party other than a political party which at the preceding city or town election polled for mayor or a selectman at least three per cent of the entire vote cast in the city or town for that office or, in a city, which files with the city clerk, at least sixty days before the annual municipal election, a petition to be allowed to place nominations of such party on the official ballot, which petition is signed in person by a number of registered voters of the city equal to at least three per cent of the entire vote polled in the city for mayor at the preceding election, and so far as municipal elections are concerned, such a party shall also be deemed a political party within the meaning of this act; but the term "municipal party" shall be used only with reference to primaries or caucuses for the nomination of city or town officers.

"Official ballot" shall mean a ballot prepared for any primary, caucus or election by public authority and at public expense.

"Political committee", under the provisions of this act relative to corrupt practices, shall apply to every committee or combination of three or more persons who shall aid or promote the success or defeat of a political party or principle in a public election or shall aid or take part in the nomination, election or defeat of a candidate for public office. The term "political committee" otherwise shall apply only to a committee elected in pursuance of this act.

"Political convention" shall apply only to a convention called and held in pursuance of this act.

"Political party" shall apply to a party which at the preceding annual state election polled for governor at least three per cent of the entire vote cast in the commonwealth for that office, but when a candidate for governor receives two or more nominations for that office, "political party" shall for the purpose of determining the status of the parties

Certain terms defined.

making such nominations be defined as a political party which at the preceding primary held for the nomination of candidates for state offices nominated such candidate and polled for nomination for governor at least three per cent of the entire vote cast in said primary in the commonwealth for nomination for that office.

"Polling place" shall apply to a room or place provided by a city or town for a primary, caucus or election.

"Presiding officer" shall apply to the warden or chairman at a caucus, to the warden, chairman of the selectmen, moderator, moderator pro tempore or town clerk in charge of a polling place at a primary or election, or to a justice of the peace acting as moderator at a town meeting; or, in the absence of any such officer, to the deputy warden or the clerk or senior inspector or senior selectman present who shall have charge of a polling place.

"Primary" shall apply to a joint meeting of political or municipal parties held under the provisions of this act relating to primaries.

"Primary officers" shall apply to all election officers when taking part in the conduct of primaries.

"Registrars" shall mean the board of registrars of voters of a city or town or the board of election commissioners of the city of Boston, when applicable.

"State election" shall apply to any election held for the choice of a national, state, district or county officer by the voters, whether for a full term, or for the filling of a vacancy.

"State officer" shall apply to any person to be chosen at a state election.

"Town election" shall apply to any meeting held for the election of town officers by the voters, whether for a full term or for the filling of a vacancy.

"Town elections or meetings at which official ballots are used" shall be construed to mean town elections or meetings in towns to which section four hundred and thirty-two applies.

"Town officer" shall apply to any person to be chosen at a town meeting.

"Two leading political parties" shall apply to the political parties which elect the highest and next highest number of members of the general court at the preceding annual state election.

"Voter" shall mean a registered male voter.

Section 2. In all elections of civil officers by the people, the person receiving the highest number of votes for an office shall be deemed and declared to be elected to such office; and if two or more persons are to be elected to the same office, the several persons, to the number to be chosen to such office, receiving the highest number of votes, shall be deemed and declared to be elected; but persons receiving the same number of votes shall not be deemed to be elected if thereby a greater number would be elected than are by law to be chosen. Results of elections, how determined.

Section 3. All elections in cities which by charter or statute are to be held on a Monday, shall be held on the Tuesday next succeeding such Monday. Elections in cities to be on Tuesdays.

Section 4. In computing the period of time prescribed in any statute relating to primaries, caucuses or elections, Sundays and holidays shall generally be included; but when the last day of such period falls on a Sunday or on a holiday, the succeeding day shall be considered the final day of such period; and when the first day of such period falls on a Sunday or on a holiday, the day preceding shall be considered the first day of the period. Whenever the day of the week designated for a primary, caucus or election falls upon a holiday, said primary, caucus or election shall be held on the day succeeding said holiday. Time, how computed in election laws.

Section 5. No person entitled to vote at an election shall, upon the day of any such election, be employed in any manufacturing, mechanical or mercantile establishment during the period of two hours after the opening of the polls in the voting precinct, ward or town in which he is entitled to vote, if he shall make application for leave of absence during such period. Time to be allowed for voting of employees.

Section 6. No common victualler having a license of the first, second or third class for the sale of intoxicating liquors and no person, other than a wholesale druggist, having a license therefor of the fourth or fifth class shall sell, give away or deliver on the licensed premises any such liquors on the day on which a state, city or annual town election is held in the city or town in which such premises are situated; and no innkeeper having a license for the sale of intoxicating liquors shall, on the day of any such election, sell, give away or deliver in his inn any such liquors to other than persons who have resorted to his inn for food or lodging; but the provisions of this section shall not Sale, etc., of intoxicating liquors on election days.

apply, in case of an election held in a city on a day other than that of the annual city election therein, to wards in which no election is held.

Posting of lists, notices, etc.

Section 7. All lists, notices and copies of laws relating to primaries or elections, required by law to be posted, shall be posted at the places in which the voting lists are required by law to be posted, or as near as may be thereto.

Election commissioners in Boston, powers and duties of.

Section 8. All the powers and duties relating to primaries or elections by law vested in and imposed upon the mayor and aldermen or either of them, the city clerk or the board of registrars of voters in cities, excepting the power and duty of giving notice of elections, and fixing the days and hours of holding the same, shall, in the city of Boston, be vested in and performed by the board of election commissioners of said city, who shall be subject to all penalties prescribed for failure to perform the said duties.

Ballot boxes, etc., regulations as to use.

Section 9. The board of aldermen of a city, in Boston the election commissioners, or the selectmen of a town may make regulations not inconsistent with the provisions of this act relative to the use of ballot boxes and seals, counting and other apparatus, the receiving of ballots and the counting and returning of votes.

Registration, etc., to be deemed regular in criminal prosecution.

Section 10. If, in a criminal prosecution for the violation of any law relating to the assessment, qualification or registration of voters, or to voting lists or ballots or matters pertaining thereto, the defendant relies upon the invalidity, informality or irregularity of such assessment, qualification or registration, or of such voting lists or ballots, or matters pertaining thereto, he shall prove such invalidity, irregularity or informality; and until such proof, the presumption shall be that such assessment, qualification or registration, or such voting lists or ballots or matters pertaining thereto, are valid, formal and regular, and in accordance with law; but the validity, regularity or formality of such assessment, qualification or registration of voters, or of such voting lists or ballots, or matters pertaining thereto, may also be proved in any other legal manner.

Primary, caucus or election to be deemed regular in criminal prosecution.

Section 11. If, in a criminal prosecution for the violation of any law relating to primaries, caucuses or elections or matters pertaining thereto, the defendant relies upon the invalidity, irregularity or informality of any primary, caucus or election, or upon the failure or neglect of any officer or person to do any act in relation to any primary, caucus or election or matters pertaining thereto, he shall prove

such invalidity, irregularity, informality, failure or neglect; and until such proof, the presumption shall be that such primary, caucus or election or matters pertaining thereto were valid, regular and formal and that such officer or person acted as prescribed by law. The testimony of the clerk of the city or town, or in Boston the election commissioners, wherein it is alleged that such election was held, or of the presiding officer, secretary or clerk of such primary or caucus, that such primary, caucus or election was actually held, shall be prima facie evidence that the same was regularly and duly held; but the validity, regularity or formality of such primary, caucus or election or matters pertaining thereto may also be proved in any other legal manner.

QUALIFICATIONS OF VOTERS.

Qualifications of male voters.

Section 12. Every male citizen of twenty-one years of age or upwards, not being a pauper or person under guardianship, who is able to read the constitution of the commonwealth in the English language and to write his name, and who has resided within the commonwealth one year and within the city or town in which he claims a right to vote, six calendar months last preceding a state, city or town election, may have his name entered upon the list of voters in such city or town, and shall have the right to vote therein in any such election or in any meeting held for the transaction of town affairs upon complying with the requirements hereinafter set forth; and, except as above provided, no male person shall have his name entered upon the list of voters or have the right to vote, except that no person who is prevented from reading or writing as aforesaid by a physical disability, or who had the right to vote on the first day of May in the year eighteen hundred and fifty-seven, shall, if otherwise qualified, be deprived of the right to vote by reason of not being able so to read or write; and no person who, having served in the army or navy of the United States in the time of war, has been honorably discharged from such service, if otherwise qualified to vote, shall be disqualified therefor on account of receiving or having received aid from any city or town; and further, no person, otherwise qualified to vote for national or state officers shall, by reason of a change of residence within the commonwealth, be disqualified from voting for such officers in the city or town from which he has removed his residence

Certain persons not to be disqualified.

until the expiration of six calendar months from the time of such removal.

Qualifications of female voters.

Section 13. Every female citizen having the qualifications of a male voter required by the preceding section may have her name entered upon the list of voters for school committee, and shall have the right to vote for members of the school committee upon complying with the requirements hereinafter set forth.

Place of registration and voting.

Section 14. A person qualified to vote in a city or town divided into wards or voting precincts shall be registered and be entitled to vote in the ward or voting precinct in which he resided on the first day of April preceding the election, or, if he became an inhabitant of such city or town after such first day of April, in the ward or voting precinct in which he first became a resident.

ASSESSMENT OF POLL TAXES AND LISTS OF PERSONS ASSESSED.

Assessors to make lists of male persons liable to a poll tax.

Section 15. The assessors, assistant assessors, or one or more of them, shall annually, in April or May, visit every building in their respective cities and towns and, after diligent inquiry, shall make true lists containing, as nearly as they can ascertain, the name, age, occupation and residence, on the first day of April in the current year, and the residence on the first day of April in the preceding year, of every male person twenty years of age or upwards, residing in their respective cities and towns, liable to be assessed for a poll tax; and, except in Boston, shall inquire at the residences of the women voters whose names are contained in the list transmitted to them by the registrars under the provisions of section forty-four whether such women voters are resident thereat, and shall thereupon make true lists of the women voters found by them.

To make lists of women voters.

Inmates of Soldiers' Home may be assessed and vote in Chelsea.

Any inmate of the Soldiers' Home in the city of Chelsea shall have the same right as any other resident of that city to be assessed and to vote therein.

Assessors to correct errors and supply omissions.

The assessors shall, upon the personal application of an assessed person for the correction of any error in their original lists, and whenever informed of any such error, make due investigation, and, upon proof thereof, correct the same on their books. When informed of the omission of the name of a person who is averred to have lived in the city or town on the first day of April in the current year, and to have been assessed there in the preceding year, they shall make

due investigation, and, upon proof thereof, supply the omission on their books, and, except in Boston, give immediate notice thereof to the registrars of voters. They shall cause all applications, certificates and affidavits received by them under this section to be preserved for two years.

Applications, etc., to be preserved for two years, etc.

Section 16. The assessors, except in Boston, shall from time to time, and before the fifteenth day of June in each year, transmit to the registrars of voters the lists made as provided in the preceding section, or certified copies thereof, and shall promptly transmit to the registrars and to the collector of taxes notice of every addition to and correction in the lists made by them. Every assessor, assistant assessor and collector of taxes shall furnish all information in his possession necessary to aid the registrars in the performance of their duties.

Assessors, except in Boston, to transmit to registrars and collectors, lists, etc.

Section 17. The assessors of cities, except in Boston, shall, on or before the fifteenth day of June in each year, and the assessors of towns having over five thousand inhabitants according to the latest census, state or national, shall, on or before the first day of July in each year, prepare street lists containing the names of all persons assessed by them for poll taxes for the current year. Such lists for cities and for towns divided into voting precincts shall be arranged by voting precincts. They shall print such lists in pamphlet form, shall deliver to the registrars as many copies thereof as they may require, and shall hold the remaining copies for public distribution. In all other towns they shall, on or before the first day of July in each year, cause lists of all persons assessed therein for poll taxes to be prepared and conspicuously posted in two or more public places in every such town. In towns not divided into voting precincts such lists may be arranged alphabetically, according to the names of the persons on the list, or by streets.

Assessors of cities, except Boston, and certain towns to prepare street lists, etc.

Lists of assessed polls to be posted in certain towns.

Section 18. Except in Boston, the assessors shall name or designate in such street lists all buildings used as residences, in their order on the street where they are located, by giving the number or other definite description of each building so that it can be readily identified, and shall place opposite to or under each number or other description of a building the name, age and occupation of every person residing therein on the first day of April of the current year and assessed for a poll tax, and his residence on the first day of April of the preceding year.

Form and contents of street lists.

Assessment of persons not previously assessed.

Section 19. If a male person resident in a city or town, except Boston, on the first day of April was not assessed for a poll tax, he shall, in order to establish his right to assessment, present to the assessors before the close of registration a statement under oath that he was on said day a resident of such city or town and liable to pay a poll tax therein, and a list under oath of his polls and estate and shall also produce before the assessors two witnesses, who shall testify, under oath, that they are voters of the ward or town in which such person desires to be registered and that the statement of the applicant is true.

Certain persons desiring to be registered to present a statement to assessors, etc.

A male person who becomes a resident of a city or town, except Boston, after the first day of April and desires to be registered as a voter shall present to the assessors a statement under oath that he has been a resident of such city or town for six months immediately preceding the election at which he claims the right to vote, and shall produce before the assessors two witnesses, who shall testify under oath that they are voters of the ward or town in which such person desires to be registered and that the statement of the applicant is true. If the assessors are satisfied that such statement is true, they shall, in the first case, assess such applicant for his polls and estate and give him a certificate of assessment, and in the second, give him a certificate that he has been a resident in such city or town the six months preceding such election, and forthwith notify the registrars of voters of the city or town, if in this commonwealth, where such person resided on the first of April, that they have given such certificate.

Records to be kept.

Section 20. The assessors, except in Boston, shall enter the name and residence of each person thus assessed or certified in a book provided for that purpose, and opposite to each name, the names, occupations and residences of the persons who have testified as above provided.

Copies of sections prescribing penalties to be posted.

In every place where voters are registered, the registrars, in Boston the election commissioners, and in every place where oaths are administered as required by this act the assessors, shall post in a conspicuous place a copy of sections four hundred and sixty and four hundred and sixty-two printed on white paper with black ink, in type not less than one quarter of an inch wide.

Sessions of assessors.

Section 21. The assessors shall hold such day and such evening sessions as shall be necessary to carry out the provisions of the two preceding sections.

Section 22. All assessments made in accordance with section nineteen shall be subject to the provisions of section seventy-four of chapter twelve of the Revised Laws and shall be entered in the tax list of the collector of taxes and be collected by him according to law.

Assessments to be subject to R. L. 12, § 74.

Section 23. The city or town clerk or registrar of deaths in each city or town shall, on the first day of every month, and also two days before every election, transmit to the registrars of voters a list of the names of all residents of such city or town of twenty-one years of age or upwards who died in the preceding month or since the date of the list previously transmitted, with a statement of the ward, street and number therein, if any, where such person resided at his death. The prison commissioners of Massachusetts, the penal institutions commissioner of Boston, the pauper institutions trustees of Boston, and the insane hospital trustees of Boston shall, ten days before every state election in Boston, transmit to the election commissioners of Boston the names of all male persons of twenty-one years of age or upwards who had a last known residence in Boston, and also ten days before every city election in that city, the names of all male and female persons of said age or upwards who had such residence and who, at said respective dates, are inmates of the institutions under their charge, respectively, except those whose terms of confinement expire before the date of such election. Such commissioners and trustees shall make diligent inquiry as to the age and residence of inmates of such institutions, and shall, in the case of those coming within the provisions of this section, transmit to the election commissioners the names and ages of such persons and their residences by street and number, wherever it is possible to do so. The election commissioners shall thereupon make a memorandum in red ink opposite the names of such of said persons as appear upon the voting lists, stating the institutions in which such persons are then confined, and copies of the voting lists containing such memoranda shall forthwith be sent by them to the election officers.

Names, etc., of certain persons to be sent to registrars or election commissioners.

REGISTRARS OF VOTERS.

Section 24. In every city, except Boston, which, by vote of the city council, approved by the mayor, accepts the provisions of this section, or which has accepted the corresponding provisions of earlier laws, or which is now

Registrars in certain cities, appointment, term of office, etc.

subject to similar provisions of law, there shall be a board of registrars of voters consisting of four persons who shall be appointed by the mayor with the approval of the board of aldermen. When a board of registrars is first appointed after the acceptance of the provisions aforesaid, two registrars shall be appointed in February or March next succeeding such acceptance for terms respectively of three and four years, beginning with the first day of April next ensuing.

City clerk to cease to be a member, etc.

The city clerk of such city shall cease to be a member of the board of registrars on such first day of April, but the remaining two members of the existing board of registrars of such city whose terms do not then expire shall continue to hold office for their respective terms of one and two years. In every year succeeding such first appointments, the mayor shall, in February or March, subject to the approval of the board of aldermen, appoint one person to be a registrar of voters for the term of four years, beginning with the first day of April next ensuing. The board of registrars so constituted shall annually in April before transacting any other business, elect one of its members as clerk, who shall perform all the duties required by law of a city clerk when acting as clerk of the board of registrars.

Clerk to be elected.

Registrars in certain cities and towns, appointment, term of office, etc.

Section 25. In every city except Boston which has not accepted the provisions of the preceding section or of corresponding provisions of earlier laws, and is not now subject to similar provisions of law, and in every town having three hundred voters, as provided in the following section, there shall be a board of registrars of voters consisting of the city or town clerk and three other persons who shall, in a city, be appointed by the mayor, with the approval of the aldermen, and in a town, by a writing signed by the selectmen and filed with the town clerk. When a board of registrars is first appointed, the registrars shall be appointed in February or March for terms respectively of one, two and three years, beginning with the first day of April next ensuing. In February or March in every year succeeding the original appointment, one registrar shall be appointed for the term of three years, beginning with the first day of April next ensuing.

Registrars in small towns.

Section 26. In every town having less than three hundred voters registered therein for the annual state election, the selectmen and the town clerk shall constitute a board of registrars of voters; but when three hundred voters shall be so registered, a board of registrars shall, in the succeeding

year be appointed, as provided in the preceding section, and shall continue to perform the duties of registration therein until, for three successive years, the number of voters shall be less than three hundred, whereupon, on the first day of April following the annual state election in such third year, such board shall cease to exist and thereafter the selectmen and town clerk shall constitute a board of registrars of voters.

Registrars, political representation.

Section 27. In the original and in each succeeding appointment and in the filling of vacancies, registrars of voters shall be so appointed that the members of the board shall, as equally as may be, represent the two leading political parties at the preceding annual state election, and in no case shall an appointment be so made as to cause a board to consist of more than two members who, including the city or town clerk, are of the same political party.

Equal representation to be preserved.

Section 28. If, upon written complaint to the mayor or to the selectmen, it shall appear, after notice and hearing, that the city or town clerk, when a member of the board of registrars, and two registrars are of the same political party, the mayor or selectmen, as the case may be, shall remove from office the one of such two registrars having the shorter term. If, upon like proceedings, it shall appear, after notice and hearing, that a registrar of voters, other than the city or town clerk, has ceased to act with the political party which he was appointed to represent, the mayor or selectmen, as the case may be, shall remove him from office.

Temporary vacancies.

Section 29. If a member of the board of registrars shall be disabled by illness or other cause from performing the duties of his office, or shall, at the time of any meeting of said board, be absent from the city or town, the mayor or selectmen may, upon the request in writing of a majority of the remaining members of the board, appoint in writing some person to fill such temporary vacancy, who shall be of the same political party as the member whose position he is appointed to fill. Such temporary registrar shall perform the duties and be subject to the requirements and penalties provided by law for a registrar of voters.

Registrars, oath of office, compensation, etc.

Section 30. The registrars and assistant registrars herein provided for shall, before entering upon their official duties, each take and subscribe an oath faithfully to perform the same. They shall receive such compensation for their services as the city council or selectmen may determine; but such compensation shall not be regulated by the number

of names registered by them, and a reduction of compensation shall apply only to registrars appointed thereafter. The city council or selectmen shall provide office room for the registrars, and such aid as they may need. The city or town clerk, when a member of the board of registrars, shall act as clerk thereof, shall keep a full and accurate record of its proceedings and shall cause such notices as the registrars may require to be properly served or posted.

Office room, etc., to be provided.

Registrars, term of office.

Section 31. Each registrar shall, unless sooner removed, hold his office for the term for which he is appointed and until his successor is appointed and qualified.

Assistant registrars in cities, except Boston, appointment, etc.

Section 32. A city council, except in the city of Boston, may authorize the registrars to appoint assistant registrars for the term of one year, beginning with the first day of October, unless sooner removed by the registrars, and they shall, as nearly as may be, equally represent the different political parties.

Powers and duties, etc.

Section 33. The registrars in a city authorizing the appointment of assistant registrars may cause the duties devolving upon a single registrar to be performed by one or two assistant registrars, and they may designate two assistant registrars, so far as practicable of different political parties, for the sessions required by law to be held outside of their principal office. The registrars shall make suitable regulations for the government of the assistant registrars, whose doings shall be subject to their revision and acceptance. Assistant registrars shall be subject to the same obligations and penalties as registrars. Registrars may remove an assistant registrar, and may fill any vacancy in the number of assistant registrars for the remainder of the term.

Registrars to make regulations, etc.

Registrars, etc., not to hold other office.

Section 34. No person shall be appointed a registrar or assistant registrar who is not a voter of the city or town for which he is appointed, who holds an office by election or appointment under the government of the United States or of the commonwealth, except as a justice of the peace, notary public, or an officer of the state militia, or who holds an office in the city or town for which he is appointed either by election or by direct appointment of the mayor or of the selectmen. The acceptance by a registrar or assistant registrar of an office which he is prohibited from holding shall vacate his office as registrar or assistant registrar.

REGISTRATION OF VOTERS.

Rooms for registration.

Section 35. Every city and town shall provide the registrars with suitable rooms in which to hold their official sessions.

Sessions of registrars.

Section 36. The registrars shall hold such day and such evening sessions as the town by a by-law or the city by an ordinance shall prescribe, and such other sessions as they deem necessary.

Sessions before primaries.

They shall hold at least one session at some suitable and convenient place in every city or town on or before the Saturday last preceding a primary, except a primary preceding a special election, to give an opportunity to qualified voters to register.

Sessions in cities.

In cities, they shall hold a continuous session from twelve o'clock noon until ten o'clock in the evening on the twentieth day preceding the annual state election, and a like continuous session on the twentieth day preceding the annual city election.

Sessions in towns.

In towns, they shall hold a continuous session from twelve o'clock noon until ten o'clock in the evening on the Saturday last but one preceding the annual state election, and a like continuous session on the Saturday last but one preceding the annual town meeting. In towns divided into voting precincts they shall, not more than twenty days before the annual state election and also not more than twenty days before the annual town meeting, but in each case on or before the last day fixed for registration, hold at least one session at some suitable place within the limits of each voting precinct. In towns not divided into voting precincts, they shall, not more than twenty days before the annual state election and also not more than twenty days before the annual town meeting, but in each case on or before the last day fixed for registration, hold sessions in one or more suitable places. If, in any such town ten or more voters residing in or near a village or locality distant two or more miles from the usual place of registration shall, not less than eighteen days before the annual state election or the annual town meeting, file a petition with the town clerk stating that in such village or locality there are at least ten citizens who are entitled and desire to be registered, the registrars shall hold a session at some suitable place in such village or locality before the last day fixed for registration. The time and

Sessions to be held in certain villages or localities upon petition.

place of registration shall be the same for male and female applicants.

When registration shall cease.

Section 37. In every city, registration shall cease at ten o'clock in the evening on the twentieth day preceding the annual state election, and at ten o'clock in the evening on the twentieth day preceding the annual city election. In every town, registration shall cease at ten o'clock in the evening on the Saturday last but one preceding the annual state election, and at ten o'clock in the evening on the Saturday last but one preceding the annual town meeting.

Registration for special elections.

Section 38. The registrars shall, in some suitable place, hold a continuous session from twelve o'clock noon until ten o'clock in the evening, on the fourth day, or in Boston on the seventh day, preceding a special election. Registration shall cease at ten o'clock in the evening of the day on which such session is held.

Registration when final day falls on Sunday or a holiday.

Section 39. If the final day for registration of voters falls on Sunday or on a holiday, the day preceding such Sunday or holiday shall be the final day for such registration.

Any registrar may examine applicants, etc.

Section 40. Any registrar may, at a place appointed for registration, on the days and during the hours designated for the purpose, receive applications for registration and examine applicants and witnesses under oath; but all doings of one registrar shall be subject to the revision and acceptance of the board.

Not to enter names on registers after close of registration, except, etc.

Section 41. The registrars shall not, after ten o'clock in the evening of a day on which registration is to cease, register any person as a voter until after the next election, but they may enter or correct upon the registers the names of persons whose qualifications as voters have been examined between the preceding thirtieth day of April and the close of registration, and except in Boston they shall compare all notices of omitted assessments transmitted to them by the assessors under the provisions of section fifteen, with the annual register of voters for the previous year, and if it appears to their satisfaction that any of said omitted assessments is that of a person entitled to vote in such previous year they may before the close of registration enter such name on the current annual register. They shall, in every case, require the vote by virtue of which such entry or correction is made to be attested by their clerk.

Notices of omitted assessments to be compared, etc.

Notices of sessions for registration, etc.

Section 42. They shall post or publish notices stating the places and hours for holding all sessions, the final sessions preceding any election, and that after ten o'clock in the

evening of the last day fixed for registration they will not, until after the next election, add any name to the registers except the names of voters examined as to their qualifications between the preceding thirtieth day of April and the close of registration.

Records to be kept in general register.

Section 43. They shall keep in general registers, records of all persons, male and female, registered as qualified to vote in the city or town. They shall enter therein the name of every such voter written in full, or instead thereof the surname and first Christian name or that name by which he is generally known, written in full, and the initial of every other name which he may have, and also his age, place of birth and residence on the preceding first day of April or at the time of becoming an inhabitant of the city or town after said day, the date of his registration and his residence at such date, his occupation and the place thereof, the name and location of the court which has issued to him letters of naturalization and the date thereof, if he is a naturalized citizen, and any other particulars necessary fully to identify him.

Blank books to be furnished.

The general registers shall have uniform headings in substantially the following form, and blank books suitable for the purpose shall be provided by the secretary of the commonwealth, at cost, to registrars applying for them.

Form.

When Registered.	Name.	Signature of Applicant.	Residence April 1, or Subsequent Date.	Age.	Place of Birth.	Occupation.	Place of Occupation.	Minutes of Naturalization, Court Issuing Letters and Date of Naturalization.	Residence at Date of Registration.	Remarks.

Annual register, entries, arrangement, etc.

Section 44. The registrars shall, after the first day of April, prepare an annual register containing the names of all qualified voters in such city or town for the current year, beginning with such first day of April. Such names shall be arranged in alphabetical order, and, opposite to the name of each voter, his residence on the preceding first day of April or on any subsequent day when he became an inhabitant of the city or town. The registrars shall enter in the annual register every name contained in the lists of persons

assessed for a poll tax for the current year, as transmitted to them by the assessors, giving, as the residence of each person on the first day of April, the place at which he was assessed a poll tax; and likewise the name and residence, as aforesaid, of every woman voter whose name is contained in the list of women voters transmitted to them, as provided in section sixteen: *provided*, that in every case they are able to identify the name so transmitted to them as that of a man or woman whose name was borne on the voting list of such city or town at the last preceding election or town meeting. They shall make all inquiries and investigations necessary to identify such person, and they shall not enter in the annual register the name of a person objected to by any registrar until such person has been duly notified and given an opportunity to be heard by them. They shall forthwith enter in the annual register the name of every person whose qualifications as a voter have been determined by them in the current year and whose name has accordingly been entered in the general register. They shall, on or before the first Monday of August in each year, send notice in writing by mail to each male voter of the preceding year whose name has not been entered in the annual register of the current year that his name has not been so entered. They shall annually, before the first day of April, transmit to the assessors a list of the women whose names are contained upon the register of voters, with their residences, as they appear on the register of the preceding year.

Proviso.

Registrars to make inquiries, investigations, etc.

To send notice to male voters whose names have not been entered in annual register.

To transmit to assessors lists of women voters, etc.

Section 45. Every person, male or female, whose name has not been entered in the annual register in accordance with the preceding section, or section forty-one must, in order to be registered as a voter, apply in person for registration and prove that he is qualified to register.

Registration, personal application necessary, in certain cases.

Section 46. Every male applicant for registration, except in Boston, whose name has not been transmitted to the registrars as provided in section sixteen shall present a tax bill or notice from the collector of taxes, or a certificate from the assessors showing that he was assessed as a resident of the city or town on the preceding first day of April, or a certificate that he became a resident therein at least six months preceding the election at which he claims the right to vote, and the same shall be prima facie evidence of his residence. In Boston every such applicant whose name has not been transmitted to the election commissioners as provided by law shall present a certificate from the listing board

Male applicant to present tax bill or certificate, etc.

as provided by law, and the same shall be prima facie evidence of his residence.

Applicants for registration to be examined under oath, etc.

Section 47. The registrars shall examine under oath an applicant for registration relative to his qualifications as a voter, and shall, unless he is prevented by physical disability, or unless he had the right to vote on the first day of May in the year eighteen hundred and fifty-seven, require him to write his name in the general register and to read in such manner as to show that he is neither prompted nor reciting from memory. Registrars shall be provided by the secretary of the commonwealth with a copy of the constitution of the commonwealth printed on uniform pasteboard slips, each containing five lines of said constitution printed in double small pica type. The registrars shall place said slips in the box provided by the secretary of the commonwealth, which shall be so constructed as to conceal them from view. Each applicant shall be required to draw one of said slips from the box and read aloud the five lines printed thereon, in full view and hearing of the registrars. Each slip shall be returned to the box immediately after the test is finished, and the contents of the box shall be shaken up by a registrar before another drawing is made. No person failing to read the constitution as printed on the slip thus drawn shall be registered as a voter. The registrars shall keep said slips in said box at all times. The secretary of the commonwealth shall upon request provide new slips to replace those worn out or lost.

Registrars to be provided with constitution slips.

Applicant to read from slip drawn from box.

No person to be registered who fails to read slip, etc.

Registration of naturalized citizens.

Section 48. If an applicant for registration is a naturalized citizen, the registrars shall require him to produce for inspection his papers of naturalization, and to make oath that he is the identical person named therein, and shall, if satisfied that the applicant has been legally naturalized, make upon his papers a memorandum of the date of such inspection. If papers of naturalization have once been examined and record thereof made in the general register, the registrars need not again require their production.

Registration of minors.

Section 49. If, upon examination, the registrars are satisfied that an applicant for registration has all the qualifications of a voter, except that of age, and that he will on or before the day of the next election or town meeting, attain full age, they shall place his name upon the registers.

Applicants to be notified of rejection, etc.

Section 50. If the registrars decline to register the name of a person examined for registration and reported to them therefor by a registrar, they shall notify him of their refusal,

and give him a reasonable opportunity to be heard by them upon his application. They shall upon the rejection of an applicant forthwith inform him of such rejection.

Revision and correction of registers.

Section 51. The registrars shall, from time to time, revise and correct the general register and the current annual register in accordance with any facts which may be presented to them. They shall strike therefrom the name of every deceased person which has been transmitted to them by the city or town clerk or the registrar of deaths in accordance with section twenty-three; but after the name of a voter has been placed upon the current annual register, they shall not change the place of residence as given thereon, nor, unless the voter has deceased, strike such name therefrom, until they have sent him a notice of their intention so to do and that he may be heard on a certain day named therein.

Illegal or incorrect registration.

Section 52. If a registered voter complains to the registrars or election commissioners, in writing under oath in a city fourteen days at least, or in a town four days at least, before an election or town meeting, that the complainant has reason to believe and does believe that a certain person by him therein named has been illegally or incorrectly registered, and setting forth the reasons for such belief, the registrars or election commissioners shall examine into such complaint, and if satisfied that there is sufficient ground therefor, they shall summon the person complained of to appear before them at a certain place and time before the next election or town meeting to answer to the matters set forth in the complaint, and the substance of the complaint and a copy of this and the following section shall be set forth in the summons.

Service of summons.

Service of the summons shall be made by an officer qualified to serve civil or criminal process, not more than fourteen nor less than two days before the day named for appearance, by delivering in hand a copy of the summons to the person therein summoned, or by leaving it at the place of alleged illegal or incorrect registration, if no later residence of such person appears on the register, and in that event at such later residence if the officer finds that such person resides at such place or later residence, as the case may be, or if he was formerly there and has changed his residence, then by leaving it at the place to which he has moved, if it is within the officer's jurisdiction and can be ascertained by inquiry at such place or later residence; but if the officer cannot make personal service, and cannot ascertain the residence

of the person complained of, the copy of the summons shall be left at such person's last residence, if any, known to the officer within his jurisdiction; and the officer shall return the summons to the registrars or election commissioners before the day named for appearance, with the certificate of his doings indorsed thereon.

Examination of persons, etc.

Section 53. If a person summoned before the registrars or election commissioners to answer to such complaint appears before them, they shall examine him under oath, and shall receive other evidence which may be offered in regard to the matters set forth in the complaint, and if satisfied that he is properly registered as a qualified voter they shall enter in the register a statement of their determination upon the facts required for registration. If the registrars or election commissioners are satisfied that he is not a qualified voter in the city or town, they shall strike his name from the register. If they are satisfied that, although he is a qualified voter in the city or town, he is illegally or incorrectly registered in a ward or voting precinct other than the ward or voting precinct in which he is required to be registered as provided in section fourteen, and are satisfied as to which ward or voting precinct he is so required to be registered in, and as to his place of residence in such ward or voting precinct, they shall change his place of residence as given on the register accordingly. If a person duly summoned as aforesaid does not appear as directed in the summons, the complainant shall produce sufficient testimony to make out a prima facie case, and if this is done the name of the person complained of shall be stricken from the register; but if such person appears before the registrars or election commissioners before the election or town meeting next ensuing and shows sufficient cause for his failure earlier to appear, the hearing shall be reopened and the matter decided on its merits, as determined from the evidence presented on both sides. The complainant and the person complained of may be represented by counsel, and all witnesses may be cross-examined.

Notice of error to be transmitted to assessors.

Section 54. The registrars shall promptly transmit to the assessors of the city or town notice of every error which they shall discover in the name or residence of a person assessed therein. The provisions of this section shall not apply to Boston.

Sessions for registration and records

Section 55. The registrars or election commissioners shall perform their duties in open session, and not secretly.

to be open to public.

They shall distinctly announce the name of every applicant for registration before entering his name on the general register. Their records shall at suitable times be open to public inspection.

Documents to be preserved for two years.

Section 56. All written complaints and certificates received by the registrars, or election commissioners, and all other documents in their custody relative to registration, shall be preserved by them for two years after the respective dates thereof.

Maintenance of order, etc.

Section 57. A registrar or election commissioner shall have authority to enforce regularity in all proceedings before him, and to maintain order in and about the place where a session is held, or applications for registration are received, and to keep the access thereto open and unobstructed.

Police officers at meetings.

Section 58. The board of police or officer in charge of the police force of a city or town shall, when requested by the registrars or election commissioners, detail a sufficient number of police officers to attend any meeting held by a registrar in the performance of his duties, and to preserve order and enforce his directions.

Supervisors of registration, appointment, etc.

Section 59. The governor, with the advice and consent of the council, shall, on the petition of not less than ten qualified voters of a city or town, appoint for a term of one year, two supervisors of registration for each place of registration therein, one from each of the two leading political parties. They shall attend all sessions or meetings for registration held at the places for which they are appointed, and either of them may attach to any book or papers there used for purposes of registration any statement touching the truth or fairness of the proceedings which he may deem proper, and may add thereto his signature or other marks for the purpose of identification.

VOTING LISTS.

Voting lists, contents, arrangement, etc.

Section 60. Registrars or election commissioners shall, from the names entered in the annual register of voters, prepare voting lists for use at the several elections to be held therein. In such voting lists, they shall place the names of all voters entered on the annual register, and no others, and opposite to the name of each, his residence on the preceding first day of April or at the time of his becoming an inhabitant of such place after said day. They shall enter the names of women voters in separate columns or

lists. In cities, they shall prepare such voting lists by wards, and if a ward or a town is divided into voting precincts, they shall prepare the same by precincts, in alphabetical order, or by streets, except that in Boston, the voting lists shall be prepared by streets. Names shall be added thereto or taken therefrom as persons are found to be qualified or not qualified to vote.

Names of certain voters to be placed at end of list.

Section 61. They shall place at the end of the voting lists of each ward, voting precinct or town to be used at a state election, under a proper heading, the names of all persons who, by changes in city or town boundaries, are not entitled to vote for the whole number of officers to be chosen.

Posting of voting lists.

Section 62. They shall, at least twenty days before the annual city or town election, and in every place except Boston, at least sixty days before the annual state election, and in Boston, twenty-four days at least before the annual state election, cause copies of the voting lists prepared in accordance with the two preceding sections to be posted in their principal office and in one or more other public places in the city or town, and in each precinct therein.

Additional names to be posted or published.

Section 63. After the voting lists have been posted, registrars shall, within forty-eight hours after a new name has been added to the annual register, cause it to be added to the lists posted in their principal office. If a city or town shall authorize the registrars to publish the names added to the register, they may, instead of posting them, cause all additional names to be printed in a newspaper published in the city or town, if any, otherwise in a newspaper published in the county in which such city or town is situated.

Certificate to be given in case of omission or error.

Section 64. Registrars shall, on the day of an election, give to a voter whose name has been omitted from the voting list, or in whose name or residence, as placed on the voting list, a clerical error has been made, a certificate of his name and residence, as stated on the annual register, signed by the registrars or a majority of them. On presentation thereof to the presiding election officer of the ward, voting precinct or town in which the voter was registered, he shall be allowed to vote, and his name shall be checked on the certificate, which shall be attached to and considered a part of the voting list and returned and preserved therewith.

Proceedings at polls.

Voting lists for use at polls.

Section 65. They shall, before every election and meeting in a city or town at which voting lists may be required to be used, prepare voting lists for each ward, voting precinct

or town in which such election or meeting is to be held, containing the names and residences of all persons qualified to vote therein, as the same appear upon the annual register, and they shall seasonably transmit the same to the election officers in every such precinct, ward or town. Such voting lists shall be in duplicate for all elections and meetings at which duplicate lists are required to be used. In Boston a copy of the voting list for each precinct required to be made by section eighty-five shall also be furnished by the board of election commissioners at each primary and at each election to the warden in charge of each polling place for the use of the police officer in such polling place. Said list shall not be removed from the polling place and shall be returned to the warden immediately after the close of the polls, and he shall immediately transmit the same to the board of election commissioners according to the provisions of section three hundred and four.

To be in duplicate.

In Boston copy to be furnished for use of police officer.

Returns of assessed polls, registered voters, etc.

Section 66. They shall forthwith, after the final day for registration before an annual state, city or town election, certify to the secretary of the commonwealth the number of assessed polls, the number of registered male and female voters in the city or town, and in each ward and precinct therein, and the number of persons who by law are entitled to vote for a part only of the whole number of officers to be chosen at a state election in such city or town and in each ward and precinct therein, with the titles of the officers for whom such persons are entitled to vote.

In cities where city clerk is not a member of board of registrars.

In cities in which the city clerk is not a member of the board of registrars, the registrars shall likewise, after the last day for registration for a city election, certify to the city clerk the number of registered male and female voters in the city, and in each ward and voting precinct therein.

Voting list for use at caucus.

Section 67. When a caucus is called the registrars shall, on the request of the chairman of the ward or town committee of the party whose caucus is to be held or of the person designated to call the caucus to order, furnish him for use in the caucus a certified copy of the voting list of the town, or of the ward of the city for which the caucus is to be held, as last published, adding thereto the names of voters registered since such publication.

List of voters before a new division of a city into wards, etc.

Section 68. The registrars in every city, after the annual city election in the year nineteen hundred and fourteen, and in every tenth year thereafter, shall, for the purpose of furnishing to the city council and the board of

aldermen the information necessary for a new division of the city into wards and voting precincts, deliver to the city clerk before the tenth day of February then next ensuing a list of all male voters therein who were registered for such city election, which shall be so arranged as to show the number of such voters residing in each lot or block surrounded by streets within the limits of such city or within any other subdivision thereof, which the city council or board of aldermen may, before the first day of February, designate. The registrars shall likewise in any other year, upon request of the board of aldermen, furnish, for the purpose of dividing the ward into voting precincts, a list of the male voters of any ward in the city, arranged as aforesaid.

LISTING AND REGISTRATION OF VOTERS IN BOSTON.

Listing board in Boston, how constituted.

Section 69. In Boston there shall be a listing board composed of the police commissioner of said city and one member of the board of election commissioners, who shall annually be appointed by the mayor, without confirmation by the board of aldermen, for the term of one year and who shall belong to that one of the two leading political parties of which said police commissioner is not a member. In case of disagreement between the two members of said board, the chief justice of the municipal court of the city of Boston, or, in case of his disability, the senior justice of said court who is not disabled, shall for the purpose of settling such disagreement be a member of said board and shall preside and cast the deciding vote, in case of a tie.

To make lists of male persons, etc.

Section 70. The listing board shall, within the first seven week days of April in each year, by itself or by police officers subject to the jurisdiction of the police commissioner, visit every building in said city, and after diligent inquiry make true lists, arranged by streets, wards and voting precincts, and containing as nearly as the board can ascertain, the name, age, occupation and residence on the first day of April in the current year, and the residence on the first day of April in the preceding year, of every male person, twenty years of age or upwards, who is not a pauper in a public institution, residing in said city. Said board shall designate in such lists all buildings used as residences by such male persons, in their order on the street where they are located, by giving the number or other definite description of every such building so that it can be readily

Buildings used as residences to be designated, etc.

identified, and shall place opposite the number or other description of every such building the name, age and occupation of every such male person residing therein on the first day of April in the current year, and his residence on the first day of April in the preceding year. The board shall also inquire at the residences of the women voters whose names are contained in the list transmitted to them by the election commissioners under section seventy-six whether such women voters are resident thereat, and shall thereupon make true lists of the women voters found by them. If in any year the police commissioner shall believe it to be impracticable, because of any public exigency requiring unusual service from the police force of the city, to complete within the first seven week days of April such visitation, and to transmit to the election commissioners on or before the eighteenth day of April the lists described in this section, he shall have authority, after having given notice in writing to the listing board and to the board of election commissioners of the city, to take such further time for such visitation and transmission, not exceeding ten week days, as he shall deem necessary.

To make lists of women voters.

Commissioner may take further time when necessary, etc.

The board shall place in the lists made by it, opposite the name of every such male person or woman voter, the name of the inmate, owner or occupant of the building, or the name and residence of any other person, who gives the information relating to such male person or woman voter. Where such information is given by one person relating to more than one such male person or woman voter residing in one building, ditto marks may be used in such lists under the name of the person giving the information, after his name has been once placed opposite the name of such male person or woman voter first written down as residing in such building.

Names of informants to be given, etc.

The board shall, upon the personal application of a person listed either upon the original or supplementary lists for the correction of any error in their lists, or whenever informed of any such error, make due investigation, and upon proof thereof correct the same on their original or supplementary lists, and shall immediately notify the election commissioners of such correction, who shall correct their copies of said lists accordingly and proceed to revise and correct the registers under the provisions of section fifty-one. The board shall cause all applications and affidavits received by them under this section to be preserved for two years.

To correct errors in lists, etc.

Applications, etc., to be preserved for two years.

To transmit copies of lists to election commissioners, etc.

Section 71. The board shall, on or before the eighteenth day of April in each year, transmit to the election commissioners certified copies of those parts of the lists prepared as provided in the preceding section, containing the name, age, occupation and residence on the first day of April in the current year, and the residence on the first day of April in the preceding year, of every male person, twenty years of age or upwards, residing in said city, and shall promptly transmit to the election commissioners notice of every addition to and correction in the lists made by them. The board shall furnish all information in its possession necessary to aid the election commissioners in the performance of their duties.

To prepare printed copies of lists, etc.

Section 72. The board shall, on or before the first day of July in each year, prepare printed copies of the lists prepared for the use of the election commissioners. The board shall print such lists in pamphlet form by precincts, deliver to the election commissioners as many copies thereof as they may require and hold the remaining copies for public distribution.

Listing of persons not previously listed.

Section 73. If a male person, twenty years of age or upwards, resident in Boston on the first day of April, was not listed by the board, he shall, in order to establish his right to be listed, appear before a member of the board, the superintendent, a deputy superintendent or an inspector of police, who are hereby authorized to administer oaths for this purpose, and present under oath a statement in writing that he was on said day a resident of said city, giving his name, age, occupation and residence on the first day of April in the current year, and his residence on the first day of April in the preceding year.

Certain persons desiring to be listed to present a statement in writing, etc.

A male person, twenty years of age or upwards, who becomes a resident of said city after the first day of April, and desires to be listed, shall appear before a member of the board, the superintendent, a deputy superintendent or an inspector of police, who are hereby authorized to administer oaths for this purpose, and present under oath a statement in writing that he became a resident of said city at least six months immediately preceding the election at which he claims the right to vote, giving his name, age, occupation and residence on the above date, and his residence on the first day of April in the preceding year.

Certificate to be given in certain cases, etc.

If the board, after investigation, is satisfied that such statements are true, it shall give such applicant a certificate that

he was a resident of said city on said first day of April, or a certificate that he became a resident at least six months immediately preceding such election, as the case may be, which certificate shall state his name, age, occupation and residence on the first day of April in the current year or on the above date, as the case may be, and his residence on the first day of April in the preceding year; but no such application shall be received later than the thirtieth day preceding a state or a municipal election, and no such person shall be listed or be given such certificate later than the twenty-first day preceding such state or municipal election. The board shall not after the last day for making such application before a state election receive an application until after such election.

Application not to be received later than the thirtieth day preceding election, etc.

In every place where oaths are administered for the purpose of listing the board shall post in a conspicuous place a copy of section four hundred and sixty, printed on white paper with black ink, in type not less than one quarter of an inch wide.

To post in place where oaths are administered copy of section 460.

Section 74. The board shall enter the date of application, the name, age, occupation and residence on the first day of April in the current year and the residence on the first day of April in the preceding year, of every such applicant, as above provided, together with the result of its investigation of his application, in a book provided for that purpose, which shall be open for public inspection. Said board shall cause to be printed in some newspaper published in Boston, the name and residence of every such applicant. The names and residences of such applicants shall be printed by wards and precincts within two days after the number of names of such applicants, not printed, reaches fifty; and on the day when such number is reached, the names to be printed within such two days shall include the names of all such applicants up to the close of business for this purpose in the office of the board on such day.

Record of applications, etc., to be kept.

Names and residences of applicants to be printed.

Section 75. The police commissioner shall have his office open during such hours as shall be necessary to carry out the provisions of the two preceding sections.

Office of police commissioner to be kept open during certain hours.

Section 76. The election commissioners shall, after the first day of April in each year, prepare an annual register containing the names of all qualified voters in Boston for the current year, beginning with such first day of April. Such names shall be arranged by wards and precincts and,

Election commissioners to prepare annual register of voters.

opposite the name of each voter, shall be entered his residence on the preceding first day of April or any subsequent day when he became a resident of said city. The election commissioners shall enter in the annual register every name contained in the lists, for the current year, of persons transmitted to them by the listing board, giving, as the residence of each person on the first day of April, the place at which he was listed by said board; and likewise the name and residence, as aforesaid, of every woman voter whose name is contained in the list of women voters transmitted to them under this act: *provided*, that in every case they are able to identify the name so transmitted as that of a man or woman whose name was borne on the voting list of said city at the last preceding election. They shall make all inquiries and investigations necessary to identify such person, and they shall not enter in the annual register the name of a person objected to by any commissioner, until such person has been duly notified and given an opportunity to be heard by them, and shall have appeared and satisfied them of his right to have his name so entered. They shall forthwith enter in the annual register the name of every person whose qualifications as a voter have been determined by them in the current year and whose name has accordingly been entered in the general register. They shall, on or before the first Monday of August in each year, send notice in writing by mail to each male voter of the preceding year whose name has not been entered in the annual register of the current year that his name has not been so entered. They shall, before the first day of April in each year, transmit to the listing board a list of the women voters whose names are contained upon the register of the preceding year, with their residences, as they appear on said register.

Proviso.

To make necessary inquiries and investigations, etc.

To send notice to voters of preceding year whose names have not been entered in annual register.

To transmit list of women voters to listing board.

Section 77. Every person, male or female, whose name has not been entered in the annual register in accordance with the preceding section, must, in order to be registered as a voter, apply in person for registration and prove that he is qualified to register.

Applicants for registration to apply in person, etc.

Section 78. The election department of Boston shall be under the charge of a board of election commissioners consisting of four citizens and voters of Boston who shall be appointed by the mayor; and chapter four hundred and eighty-six of the acts of the year nineteen hundred and nine, and all other acts relating to departments of Boston, or the

Election commissioners of Boston, appointment, etc.

officers and employees thereof, not inconsistent herewith, shall be applicable to said department and the officers and employees thereof.

Political representation, compensation, etc.

Section 79. Said board shall be so selected that two members shall always belong to each of the two leading political parties; and one member shall annually be appointed for the term of four years, beginning with the first day of April in the year of his appointment. The mayor shall annually, on or before the first day of April, designate one member as chairman for the year beginning with said day, and may, after notice and hearing, remove any member for cause. The chairman of said board shall receive an annual salary of four thousand dollars, and each of the other commissioners three thousand five hundred dollars, or such other salary as the city council may by ordinance prescribe.

To appoint assistant registrars of voters.

Section 80. Said board shall annually, between the first day of April and the first day of October, appoint assistant registrars of voters, not exceeding four for each ward, who shall hold office for the term of one year, beginning with the first day of October, unless sooner removed by the election commissioners, and who shall equally represent the two leading political parties.

To constitute the Boston ballot law commission, etc.

Section 81. Said board shall constitute the Boston ballot law commission, and shall in all matters relating to objections and questions arising in the case of nominations of candidates for city offices have the powers and perform the duties prescribed for the state ballot law commission; and when sitting as such, the chief justice of the municipal court of the city of Boston, or in case of his disability the senior justice of said court who is not disabled, shall be a member of said board and shall preside, but shall not vote unless the other commissioners are equally divided; and in every other matter in which the commissioners are equally divided said chief justice shall act with them and shall cast the deciding vote.

Books for the registration of voters to be prepared, etc.

Section 82. Said board shall prepare books for the registration of the male voters and the general register of voters, and the books so prepared shall constitute the general register of voters in said city. Said books shall be in substantially the following form: —

Street.

1.	2.	3.	4.	5.	6.	7.	8.	9.	10.	11.			12.
Date of Application for Registration.	No. of Residence or Other Designation April 1, of the Year of Application.	Name.	Signature.	Length of Residence in City.	Occupation.	Place of Occupation.	Place of Birth.	Court of Naturalization.	Date of Naturalization Papers.	Personal Description.			Present Residence.
										Age.	Height.	Weight.	

Form.

Under the several headings, there shall be entered as follows: —

One, The day, month and year when the applicant is adjudged a qualified voter.

Two, The name of the applicant and the number on the street, place or other location of his dwelling on that day, or if there is no number, such clear and definite description of the place of said dwelling that it can be readily ascertained; if more than one family resides in said dwelling, the floor on which the applicant resides; and if there is more than one house at the number given by the applicant, in which one of them he resides.

Three, The full surname and the Christian name of the applicant, or the name by which he is generally known, and the initial of every other name which he may have.

Four, The applicant shall write his name on a line with the statements herein set forth.

Five, The number of months or years which the applicant states that he has lived in said city.

Six, A full statement of his occupation.

Seven, The place of his occupation.

Eight, The name of the city or town, county and state, country, kingdom, empire or dominion where he was born.

Nine, The designation of the court where the applicant, if he was an alien, was naturalized.

Ten, The date of such naturalization.

Eleven, The age, approximate height and weight of the applicant.

Twelve, The residence of the applicant at the date of registration.

The names of all voters residing in the same dwelling shall be placed together.

Sessions of board of election commissioners for registration.

Section 83. Said board shall hold such day sessions as the city may by ordinance prescribe, and such additional sessions as they shall deem necessary. They shall, in any event, hold in or near each ward in said city not less than ten evening sessions, each of at least three hours' duration, between the first day of September and the close of registration before the annual state election, and the same number of like sessions between the annual state election and the close of registration before the annual city election. They shall also hold at their principal office a continuous session from nine o'clock in the morning until ten o'clock in the evening on the twentieth day preceding the annual state election, and a like continuous session on the twentieth day preceding the annual city election, and a continuous session from twelve o'clock noon until ten o'clock in the evening on the seventh day preceding a special election.

Applicants for registration to be examined under oath, etc.

Section 84. An election commissioner or assistant registrar of voters shall, at the times and places fixed for registering voters, examine under oath each applicant for registration as to his qualifications as a voter, and, if satisfied that the applicant is a qualified voter, shall immediately, in the presence of the applicant, enter in the proper columns of said register the information required by section eighty-two, according to the statements of the applicant; and if at any time prior to an election the board shall be of opinion that there is an error in such information, after giving notice to the person by mail, by special delivery, that he may be heard on a certain day named therein, it may on said day re-examine said information and correct such error, if any. No person shall, except as provided in section seventy-six have his name entered upon such register unless he personally appears before said board or one member thereof or an assistant registrar and is found qualified to be registered as a voter; and if the person is a naturalized citizen, he shall produce his naturalization papers or a certified copy of the record thereof for inspection, and make oath that he is the person named therein. But if there is a record in the office of said board made in the year eighteen hundred and ninety-six, or subsequent thereto, that the naturalization papers of the applicant have once been produced and examined, they need not be again produced.

Street lists of voters to be made.

Section 85. Said board shall annually after the close of registration and before the annual state election make, by precincts, from the annual register, street lists of the voters

to be used as the voting lists at elections. Each list shall contain not less than two hundred names, and names shall be added to or taken therefrom, as persons are found qualified or not qualified to vote. Said lists shall be in the following form: —

_____ Street.

Form.

	Name of Voter.	Residence, Number, or Other Designation, April 1, of the Year of Election.	Length of Residence in City.	Personal Description.		
				Age.	Height.	Weight.

Section 86. Said board shall, prior to the annual state election and prior to the annual city election, prepare in pamphlet form, not less than fifty copies of each voting list, omitting therefrom everything except the name and residence of the voters, and shall distribute said copies as they may deem best. Pamphlet copies of voting lists.

Section 87. Every person upon applying to vote shall, when requested by any election officer, write his name in a book prepared for the purpose unless the voter declares under oath to the presiding officer that he had the right to vote on the first day of May in the year eighteen hundred and fifty-seven and cannot write, or that by reason of blindness or other physical disability he is unable to write. Voter to write his name upon request.

PART II.

POLITICAL COMMITTEES.

Section 88. Each political party shall annually elect a state committee, the members of which shall hold office for one year from the first day of January next following their election and until their successors shall have organized. Said committee shall consist of at least one member from each senatorial district to be elected at the state primaries, and such number of members at large as may be fixed by the committee to be elected at the state convention; and the person who in the aggregate of all the ballots cast in each district for such district members shall receive the highest number of such votes shall be the member elected. State committees, election, term, etc.

Organization.

The members of the state committee shall, in January, meet and organize by the choice of a chairman, a secretary, a treasurer and such other officers as they may decide to elect.

Lists of members and officers to be filed.

The secretary of the state committee shall, within ten days after such organization, file with the secretary of the commonwealth, and send to each city and town committee, a list of the members of the committee and of its officers.

Vacancies.

A vacancy in the office of chairman, secretary or treasurer of the committee or in the membership thereof shall be filled by the committee, and a statement of any such change shall be filed as in the case of the officers first chosen.

Ward and town committees, election, term, etc.

Section 89. Each political party shall, in every ward and town, annually elect at the state primaries, a committee to be called a ward or a town committee, to consist of not less than three persons, who shall hold office for one year from the first day of January next following their election and until their successors shall have organized.

City committee.

The members of the several ward committees of a political party in a city shall constitute a committee to be called a city committee.

City and town committees, organization.

Each town committee shall annually, between the first day of January and the first day of March, and each ward and city committee shall, within thirty days after the beginning of its term of office, meet and organize by the choice of a chairman, a secretary, a treasurer and such other officers as it may decide to elect.

Lists of officers and members to be filed.

The secretary of each city and town committee shall, within ten days after its organization, file with the secretary of the commonwealth, with the city or town clerk and with the secretary of the state committee of the political party which it represents, a list of the officers and members of the committee.

Vacancies.

A vacancy in the office of chairman, secretary or treasurer of a city, ward or town committee shall be filled by the committee, and a vacancy in the membership of a ward or town committee shall be filled by such committee, and a statement of any such change shall be filed as in the case of the officers first chosen.

Ward committees in case of a re-division of a city into wards.

Section 90. Upon a re-division of a city into wards, any political party may in the next succeeding calendar year elect its ward committees for such terms, not exceeding the length of the terms for which the former committees were

chosen, as the city committee existing at the time of calling the caucuses may determine, and thereafter shall elect such committees at the times and for the terms prescribed by law. The caucuses for the choice of such ward committees shall be called by the city committee in existence at the time, and shall be subject to such reasonable notice as said city committee shall determine.

Organization of existing committees.

Section 91. Committees of any party existing at the time when such party at an annual state election first polls for governor three per cent of the entire vote cast in the commonwealth for that office shall be deemed to be organized under these provisions.

Committees may make rules and regulations, etc.

Section 92. A state, city or town committee may make rules and regulations, not inconsistent with law, for its proceedings and relative to caucuses called by it, and may fix the number of persons of whom it shall consist, which number shall be announced in the call for the meeting at which they are to be chosen. Each city or town committee may make reasonable regulations, not inconsistent with law, to determine membership in the party, and to restrain persons not entitled to vote at caucuses from attendance thereat or taking part therein. But no political committee shall prevent any voter from participating in a caucus of its party for the reason that the voter has supported an independent candidate for political office. A state committee may make rules and regulations, not inconsistent with law, for calling conventions.

PROVISIONS APPLYING TO ALL PRIMARIES.

Conduct of primaries.

Section 93. Primaries shall be conducted in general accordance with the provisions of law concerning the conduct of elections and the manner of voting thereat, except as otherwise provided in the sections concerning primaries.

Withdrawal of names of candidates.

Section 94. A person who is nominated to be voted for at a primary may withdraw his name from nomination by a request in writing signed by him and acknowledged before a justice of the peace and filed with the officer with whom the nomination was filed, in the case of a person to be voted for at a state or presidential primary within the seventy-two week-day hours, and in the case of a person to be voted for at a city or town primary within the forty-eight week-day hours, succeeding five o'clock in the afternoon of the last day fixed for the filing of nomination papers for such primary.

Nominations valid unless objected to, etc.

Section 95. When nomination papers have been filed, and are in apparent conformity with law, they shall be valid unless objections thereto are made in writing and filed with the officer with whom the nomination paper was filed. Such objections shall be filed in the case of candidates to be voted for at a state or presidential primary within the seventy-two week-day hours, in the case of candidates to be voted for at city primaries within the forty-eight week-day hours, and in the case of candidates to be voted for at town primaries within the twenty-four week-day hours, succeeding five o'clock in the afternoon of the last day fixed for the filing of nomination papers for such primaries.

Objections, etc., by whom considered.

Section 96. Objections to nomination papers for candidates to be voted for at state or presidential primaries, and all other questions relating thereto, shall be considered and determined by the state ballot law commission; to nominations for candidates to be voted for at city primaries by the board of registrars, the city clerk and the city solicitor; and to nominations for candidates to be voted for at town primaries by the board of registrars.

Days of holding primaries.

Section 97. State primaries shall be held on the sixth Tuesday preceding state elections, city primaries on the third Tuesday preceding city elections, town primaries on the second Tuesday preceding town elections, and presidential primaries on the last Tuesday in April; except that primaries before a special election shall be held on the second Tuesday preceding the special election.

To be held by precincts in certain places.

In Boston they shall be held by precincts as established for elections; elsewhere, wholly or partly by wards, precincts or towns, as the board of aldermen or selectmen may from time to time determine.

Certain provisions of law to apply.

Section 98. The provisions of law relating to election officers, voting places for elections, election apparatus and blanks, calling and conduct of elections, manner of voting at elections, counting and recounting of votes at elections, the provisions of section three hundred and eight, corrupt practices, and penalties, shall apply to primaries, except as otherwise provided in the sections concerning primaries.

Petitions for recounts in Boston.

Section 99. In Boston petitions for recounts after primaries shall be filed before five o'clock in the afternoon of the second day thereafter.

Officers may be designated to serve at primaries.

Section 100. The election commissioners in Boston, the city clerks in other cities, and the town clerks in towns may

designate two inspectors and two deputy inspectors, representing the two leading political parties, instead of a larger number, to serve at the primaries, and from the whole body of election officers they may designate officers equally representing the two leading political parties to serve as tellers in any precinct or ward during part of the day for the purpose of receiving ballots, checking names, or canvassing and counting votes, such tellers to receive such part of a full day's compensation of election officers as the election commissioners in Boston, the board of aldermen in other cities, or the selectmen in towns, may determine.

Same subject.

Section 101. In wards or towns where at elections voting is by precincts, but at primaries by wards or towns, the city or town clerk shall designate which of the election officers shall serve as primary officers.

Certain persons not ineligible as primary officers.

Section 102. Except in Boston no person shall be ineligible to serve as a primary officer because he is a candidate for or member of a ward or town committee.

Ballots for state and presidential primaries, preparation, etc.

Section 103. Ballots for use at state and presidential primaries shall be prepared and provided, and the number thereof determined, by the secretary of the commonwealth, and no other ballots shall be received or counted: *provided, however,* that if the ballots provided for any polling place are not delivered, or if after delivery they are lost, destroyed or stolen, the city or town clerk or election commissioners shall provide ballots similar as far as possible, which ballots may be used.

Proviso.

Ballots for city and town primaries, preparation, etc.

Section 104. The city or town shall provide and the city or town clerk shall prepare ballots to be used in city or town primaries, and no other ballots shall be received or counted. No ballots as herein provided shall be printed in any printing establishment owned or managed by the city of Boston.

Number of ballots, how determined.

Section 105. The number of ballots for use at city or town primaries shall be determined by the city clerk in cities, and by the town clerk in towns, and shall not for any ward or town exceed one ballot of each party for each voter therein.

Ballots for each party to be printed on paper of a different color, etc.

Section 106. Ballots for each party shall be printed on paper of a different color from that on which the ballots for any other party are printed. At least six facsimile copies of the ballot for each party, printed on colored paper, shall be provided for each polling place as specimen ballots.

Form of official ballot.

Section 107. At the top of each ballot shall be printed the words "The official ballot of (here shall follow the party name)." On the back and outside of each ballot when folded shall be printed the words "Official ballot of the (here shall be inserted the party name)", followed by the number of the precinct and ward or the name of the town for which the ballot is prepared, the date of the primary and for state or presidential primaries a facsimile of the signature of the secretary of the commonwealth and for city or town primaries a facsimile of the signature of the city or town clerk.

Arrangement of names.

Names of candidates for each elective office shall be arranged alphabetically according to their surnames.

To be arranged in groups in order of drawing.

Names of candidates for ward or town committees, and for delegates to conventions shall be arranged in groups in such order as may be determined by lot, under the direction of the secretary of the commonwealth, who shall notify each state committee and give a representative of each such committee an opportunity to be present: *provided, however,* that, when necessary, groups may be printed on the ballot in two or more columns.

Proviso.

Street and number of residence to be printed.

Against the name of a candidate for an elective office, for a ward or town committee or for a member of a state committee shall be printed the street and number, if any, of his residence.

Certain statement to be printed.

Against the name of a candidate for an elective office shall be printed the statement contained in the nomination paper placing him in nomination.

Names to be printed on ballot, blank spaces to be provided, etc.

No names shall be printed on a ballot other than those presented on nomination papers. Immediately following the names of candidates, blank spaces equal to the number of persons to be chosen shall be provided for the insertion of other names.

Number to be voted for to be stated on ballot.

The number of persons to be voted for for the different offices shall be stated on the ballot.

Form of ballots, etc.

The form of ballots and the arrangement of printed matter thereon shall be in general the same as that of the official state ballots, except as otherwise provided in the sections concerning primaries.

A cross to constitute a vote, etc.

Section 108. A cross [X] marked against a name shall constitute a vote for the person so designated. A cross in the circle at the head of a group of candidates for ward committees or for delegates to a state convention shall count as a vote for each candidate therein. A voter may vote for one or more candidates in any such group by marking a

cross against the name of each such candidate, or he may insert another name and mark a cross against it. If he votes for more candidates than the number to be elected, his vote shall not be counted.

Delivery of ballots, etc., at polling places.

Section 109. The city or town clerk, or in Boston the election commissioners, before the opening of the polls on the day of the primary, shall deliver at the polling place to the warden or, if he is not present, to the clerk or, if both are absent, then to any inspector, ballot boxes, the ballots, specimen ballots, voting lists, suitable blank forms and apparatus for canvassing and counting the ballots and making the returns, a seal of suitable device and a record book for each polling place. The presiding officer at each polling place shall, before the opening of the primary, conspicuously post in such polling place at least six specimen ballots for each party, which shall be kept so posted until the polls are closed, except that where voting booths are provided two of such specimen ballots for each party may be posted on such booth.

Specimen ballots to be posted, etc.

Political party, enrolment of voters.

Section 110. When, in a primary, a voter seeks to pass the guard rail, he shall be asked by one of the ballot clerks, with which political party he desires to be enrolled, and the ballot clerk upon reply shall distinctly announce the name of such political party and give him such political party ballot. The voter's selection shall be checked on the voting list used by the ballot clerk and such list shall be returned to the election commissioners in Boston, or to the city clerk in any other city, or to the town clerk in towns, for preservation during the next succeeding five calendar years. The party enrolment of voters on such voting lists, and all subsequent party enrolment of voters, shall be transferred each year to the voting lists used at subsequent primaries, providing the names of such voters have been entered, in Boston, in the annual register prepared by the election commissioners from the police lists, and in other cities and in towns, in the annual register prepared from the assessors' lists.

Voters enrolled in one political party not to receive the ballot of another political party, except, etc.

Section 111. No voter enrolled at a primary shall be allowed to receive the ballot of any political party except that with which he is so enrolled, but he may establish, change or cancel his enrolment by appearing in person before the election commissioners in Boston, the city clerk in any other city, or the town clerk in towns, and requesting in writing to have his enrolment changed to another party, or cancelled: *provided*, that such change or cancellation shall not

Proviso.

take effect until the expiration of ninety days after the voter so appears. No voter enrolled as a member of one political party shall be allowed to receive the ballot of any other political party, upon a claim by him of erroneous enrolment, except upon a certificate of such error from the election commissioners or board of registrars, as the case may be, which certificate shall be presented to the presiding officer of the primary and preserved as part of the records of such primary; but the political party enrolment of a voter shall not preclude him from receiving at a city or town primary the ballot of any municipal party, though in no one primary shall he receive more than one party ballot. All party enrolments at city or town primaries prior to the passage of this act are hereby cancelled.

Certain party enrolments cancelled.

Counting of votes.

SECTION 112. In the counting of votes when the ballots are removed from the ballot box, they shall first be sorted into piles, one for each party, and each pile shall be counted and sealed separately. Votes shall be counted only for nominations of the party on whose ballot they appear.

PROVISIONS APPLYING TO STATE PRIMARIES.

Nominations and elections at state primaries.

SECTION 113. The nomination of candidates of political parties for all offices to be filled at a state election, excepting the office of presidential elector, and the election of district members of state committees, members of ward and town committees, and of delegates to state conventions of political parties shall be by direct plurality vote in primaries.

District members of state committees and delegates to state conventions, elections, etc.

The number of district members of the state committee, not less than one from each senatorial district, and the number of delegates to the state convention, not less than one for each ward or town, to be elected, shall be fixed by the state committee, and the number of members of ward and town committees, not less than three for each ward and town, to be elected, shall be fixed by the city and town committees. Notice of the number of delegates and of members of committees shall be given by the state, city or town committees, as the case may be, to the secretary of the commonwealth, on or before the first day of August.

Notice of number to be given to secretary of the commonwealth on or before August first.

Notice of determination to hold primaries by wards, precincts, or groups of

SECTION 114. In cities or towns where the question of holding primaries by wards, precincts, or groups of precincts is determined by the aldermen or selectmen, notice of such determination shall be given to the secretary of the

commonwealth, by the aldermen or selectmen on or before the first day of August; except that in case of primaries before special elections, such notice shall be given at least fourteen days before the primaries. precincts to be given to the secretary of the commonwealth.

Section 115. The polls at every state primary shall be open during such hours, not less than nine in cities or two in towns, as may be designated by the board of election commissioners in Boston, the aldermen in other cities, and the selectmen in towns. When polls shall be open.

Section 116. The nomination of candidates for nomination at state primaries shall be by nomination papers. In the case of offices to be filled by all the voters of the commonwealth such papers shall be signed in the aggregate by at least one thousand voters, not less than two hundred and fifty to be from each of four different counties. In the case of all other offices to be filled at a state election, by a number of voters equal in the aggregate to five voters for each ward or town in the district or county, but in no case shall more than two hundred and fifty be required. Nominations to be by nomination papers, etc.

The nomination of candidates for election at state primaries shall be made as in the case of candidates for nomination for state offices other than those to be filled by all the voters of the commonwealth. Nomination of candidates for election.

Section 117. Every nomination paper shall state, in addition to the name of the candidate, (1) his residence, with street and number thereof, if any, (2) the office for which he is nominated, (3) the political party which he represents, and except for candidates for ward and town committees and delegates to conventions the paper may state, in not more than eight words, the occupation of the candidate, the public offices which he has held, or that he is a candidate for renomination, provided he is at the time an incumbent of the office for which he seeks renomination for another term, but not otherwise. Every voter who signs such paper shall sign it in person, with his full surname, his Christian name, and the initial of every other name which he may have, and shall state his residence of the previous first day of April, as well as the place where he is then living, with the street and number thereof; but any voter who is prevented by physical disability from writing, or who had the right to vote on the first day of May in the year eighteen hundred and fifty-seven, may authorize some person to write his name and residence in his presence; and every voter may sign as many nomination papers for each office Nomination papers, contents, etc. Signature, etc.

to be filled as there are persons to be nominated for or elected thereto, and no more.

To contain statement, etc.

Such papers shall also contain the statement that the signers thereof are members of the party represented by the candidate and are entitled to vote in the primaries of that party; and whoever knowingly subscribes falsely to a statement on a nomination paper shall be punished by imprisonment for not more than five days or by a fine not exceeding fifty dollars. No nomination paper, except for a delegate or delegates to a convention, shall be valid in respect to any candidate whose written acceptance is not thereon.

Penalty.

Acceptance.

Who may sign papers.

None but enrolled voters of the party represented by a candidate, and voters who are not enrolled in any party, shall be entitled to sign the nomination paper of such candidate. No nomination paper shall contain the name of more than one candidate except in the case of delegates to the state convention and members of ward and town committees.

Not to contain name of more than one candidate, except, etc.

Nomination papers to be submitted to registrars, in Boston to the election commissioners.

Section 118. Every nomination paper shall be submitted on or before five o'clock in the afternoon of the Saturday preceding the day on which it must be filed to the registrars of the city or town in which the signers appear to be voters, and in Boston to the election commissioners, who shall forthwith certify thereon the number of signatures which are names of voters not enrolled in any other party than that represented by the candidate whose name appears in the nomination paper both in the city or town and in the district for which the nomination is made. They need not certify a greater number of names than are required to make a nomination, with one fifth of such number added thereto. Names not certified in the first instance shall not thereafter be certified on the same nomination papers. The secretary of the commonwealth shall not be required in any case to receive nomination papers for a candidate after receiving papers containing a sufficient number of certified names to make a nomination, with one fifth of such number added thereto. For the purpose of certifying to the names on primary nomination papers it shall be the duty of the board of registrars of voters, in Boston the election commissioners, to hold meetings on the four Saturdays next preceding the date on which such papers are required to be filed with the secretary of the commonwealth, except that such meetings shall be held on the two Saturdays next preceding the date on which the papers are required to be so filed for primaries before special elections.

Registrars and election commissioners to hold meetings to certify to names on nomination papers.

No person shall be a candidate for nomination for more than one office for which such nominations are made; but this shall not apply to candidates for membership in political committees or delegations to the state convention. No person to be a candidate for more than one office, except, etc.

Section 119. Nomination papers for use in the nomination of candidates to be voted for at state primaries shall be prepared and furnished by the secretary of the commonwealth, upon request. Nomination papers, preparation, etc.

Section 120. All nomination papers of candidates to be voted for at state primaries shall be filed with the secretary of the commonwealth on or before the fifth Tuesday preceding the day of the primaries; except in the case of primaries before special elections, when nomination papers shall be filed on or before the second Tuesday preceding the day of the primaries. Nomination papers, last day for filing.

Section 121. If a person nominated to be voted for at a state primary dies before the day of the primary, or withdraws his name from nomination, or is found to be ineligible, the vacancy may be filled, in the case of a candidate for nomination, by the state committee, if the candidate is one to be voted for by all the voters of the commonwealth; and in the case of all other candidates, by the members of the ward and town committees in the wards and towns comprising the respective districts, and in the case of a candidate for election, by the said ward and town committees: *provided, however,* that the death, withdrawal or ineligibility of a candidate for nomination shall not be treated as creating a vacancy to be filled unless by reason of such vacancy there would be no candidate for the party nomination for the office. Nomination in case of death, withdrawal or ineligibility. Proviso.

Section 122. In cases of withdrawal nominations to fill vacancies shall be filed with the secretary of the commonwealth within seventy-two week-day hours succeeding five o'clock in the afternoon of the last day for filing withdrawals. Time of filling vacancies caused by withdrawal.

They shall be open to objections in the same manner, so far as practicable, as other nominations. To be open to objections.

No vacancy caused by withdrawal shall be filled before the withdrawal has been filed. No vacancy to be filled before withdrawal is filed.

Section 123. No ballots cast at a state primary shall be counted until the close of the polls. No ballots to be counted before close of polls.

Section 124. Upon the receipt of the records of votes cast at state primaries the city or town clerk or election commissioners shall forthwith canvass the same and make return of the votes for candidates for nomination for state Canvass and returns of votes, etc.

offices, and for election as members of the state committee, to the secretary of the commonwealth, who shall forthwith canvass such returns, determine the results thereof, notify the successful candidates, and certify to the state committees the names of the persons nominated for state offices and elected as members of the state committees.

Determination of results of vote for delegates and members of ward and town committees.

Said clerks or commissioners shall determine the results of the vote for delegates to the state conventions and members of ward and town committees, issue proper certificates thereof to the successful candidates, and notify the chairmen of the city and town committees of the respective parties.

Tie vote for candidates for nomination for offices to be filled by all the voters, vacancy, etc.

Section 125. In case of a tie vote for any candidate for nomination for an office to be filled by all the voters of the commonwealth the vacancy shall be filled by the state committee.

Tie vote for other candidates for nomination, vacancy, etc.

Delegates to conventions, tie vote, vacancies, etc.

In case of a tie vote for any other candidate for nomination the vacancy shall be filled by the members of the ward and town committees in the wards and towns comprising the districts for which the nominations are to be made. If there is a tie vote for delegates to a convention, or a place unfilled in a delegation, or a vacancy occasioned by inability or neglect of a delegate elected to attend a convention, such vacancies shall be filled only by vote of the remaining members of the delegation at a meeting called for the purpose. Such meeting shall choose a chairman and secretary, and the secretary shall notify the secretary of the convention of the action taken relative to such vacancy, except that, if only one delegate or two delegates were to be elected, the delegate or the remaining delegate, as the case may be, shall fill such vacancy and notify the secretary of the convention of such action.

Tie vote for members of committee, etc.

If there is a tie vote for members of a ward or town committee, the members elected shall fill the vacancy.

Vacancy when a majority of a delegation or committee are not elected, etc.

If a majority of a delegation, or of a ward or town committee, is not elected the vacancy shall be filled by the ward or town committees.

Vacancies caused by ties, how filled.

All vacancies caused by ties shall be filled only by the choice of one of the candidates receiving the tie vote.

State conventions of political parties, calling, etc.

Section 126. A political party may, upon the call of its state committee, but not earlier than one week nor later than two weeks, after the holding of the primaries, hold a state convention for the purpose of adopting a platform, electing such number of members at large of the state committee as may be fixed by the state committee, nominating

presidential electors, and for such other purposes not inconsistent with this act as the state committee or the convention may determine. Such convention shall consist of the delegates elected at the state primary (in number not less than one for each ward and town), the members of the state committee, the United States senators from Massachusetts who are members of the party, the nominees of the party for all offices to be filled at the state election, and in years in which no elections are held for such offices, the incumbents of those offices who are members of the party.

Secretary of the commonwealth may employ temporary clerical assistance.

Section 127. The secretary of the commonwealth may employ such temporary clerical assistance as he may deem necessary to carry out the provisions of this act relative to primaries: *provided, however,* that the provisions of chapter nineteen of the Revised Laws and the civil service rules made thereunder shall not apply to such employment.

Proviso.

PROVISIONS APPLYING TO CITY AND TOWN PRIMARIES.

Primaries for the nomination of candidates to be voted for at city and town elections.

Section 128. All primaries of political and municipal parties for the nomination of candidates to be voted for at city and town elections in cities, and in towns using official ballots, which vote that primaries shall be held therein, shall be conducted in general accordance with the provisions of law concerning primaries.

Question of adoption or revocation to be submitted to voters upon petition.

Section 129. In any city or town which has adopted the provisions of law for nominating by primaries, the following question shall be put on the official ballot at any city election or annual town meeting on petition of five per cent of the voters registered at the time of the preceding city election or annual town meeting, filed with the city or town clerk on or before the last day of filing nomination papers: — "Shall primaries for the nomination of candidates to be voted for at city (or town) elections continue to be held in this city (or town)?" In any city or town not nominating by primaries the following question may, by similar petition, be put on the ballot at the next city election or annual town meeting: — "Shall primaries for the nomination of candidates to be voted for at city (or town) elections be held in this city (or town)?" In the event of an affirmative or negative vote on these questions, such primaries shall or shall not thereafter be held accordingly.

Secretary of the commonwealth to be notified.

Clerks of cities or towns which vote to hold primaries or to rescind such action shall forthwith notify the secretary of the commonwealth of such vote.

Notices of intention to participate in primaries to be furnished.

SECTION 130. Notices of intention to participate in primaries shall be furnished by the city and town committees of such political and municipal parties as are entitled to and desire to participate therein not less than twenty-two days prior to the day on which the primaries are to be held, to the city clerk in cities or the town clerk in towns.

Blank nomination papers to be provided, etc.

SECTION 131. The city or town shall provide, and the city or town clerk shall seasonably prepare, blank nomination papers for use in the nomination of candidates to be voted for at city or town primaries. Such papers shall state the place where, and the day and hour prior to which, signed nomination papers shall be filed.

Nominations to be made by nomination papers, etc.

SECTION 132. Nominations of candidates for elective offices, to be voted for at a primary, shall be made by nomination papers, as hereinafter provided. Such nominations shall be made on the blank nomination papers prepared in accordance with the preceding section; and no nomination paper offered for filing shall be received or shall be valid to which is attached any card, paper or other device containing the name of a candidate, his written acceptance, or the signature of any voter required by this section. Such papers shall be signed in person by at least five voters of the ward or town in which the primary is to be held, who shall add to their signatures the street and number, if any, of their residences. Such papers for a district composed of more than one ward shall be signed by a number of voters equal in the aggregate to not less than five voters for each ward in said district. Nomination papers shall not contain a larger number of names of candidates than there are persons to be elected. No nomination paper shall be valid in respect to any candidate whose written acceptance is not thereon. No vacancy caused by the death, withdrawal or ineligibility of any candidate shall be filled, unless the person entitled to fill such vacancy files the written acceptance of the candidate who is nominated to fill the vacancy.

Signatures, etc.

Acceptances.

Nomination papers, contents, etc.

SECTION 133. Every nomination paper shall state, in addition to the name of the candidate, (1) his residence, with the street and number thereof, if any, (2) the office for which he is nominated, (3) the political or municipal party which he represents, and the paper may state, in not more than eight words, the occupation of the candidate, the public offices which he has held, or that he is a candidate for renomination, provided he is at the time an incumbent of the office for which he seeks renomination for another term,

but not otherwise. Every voter who signs such paper shall sign it in person, with his full surname, his Christian name, and the initial of every other name which he may have, and shall state his residence of the previous first day of April, as well as the place where he is then living, with the street and number thereof; but any voter who is prevented by physical disability from writing, or who had the right to vote on the first day of May in the year eighteen hundred and fifty-seven, may authorize some person to write his name and residence in his presence; and every voter may sign as many nomination papers for each office to be filled as there are persons to be nominated for or elected thereto, and no more. Signatures.

Such paper shall also contain the statement that the signers thereof are members of the party represented by the candidate and are entitled to vote in the caucuses or primaries of that party; and whoever knowingly subscribes falsely to a statement on a nomination paper shall be punished by imprisonment for not more than five days or by a fine not exceeding fifty dollars. To contain statement, etc. Penalty.

Section 134. All nomination papers of candidates to be voted for at city or town primaries shall be filed with the city or town clerk not less than ten week days previous to the day on which the primary is to be held for which the nominations are made. Every such nomination paper shall be submitted at or before five o'clock in the afternoon of the Saturday preceding the day on which it must be filed to the registrars of the city or town in which the signers appear to be voters, and the registrars shall forthwith certify thereon a number of signatures which are names of voters not enrolled in any other party than that represented by the candidate whose name appears in the nomination papers both in the city or town and in the district for which the nomination is made. They need not certify a greater number of names than are required to make a nomination with one fifth of such number added thereto. Names not certified in the first instance shall not thereafter be certified on the same nomination papers. The city or town clerk shall not be required, in any case, to receive nomination papers for a candidate after receiving papers containing a sufficient number of certified names to make a nomination, with one fifth of such number added thereto. Nomination papers to be filed with city or town clerk. To be submitted to registrars, etc.

Section 135. In case of a vacancy caused by the death, withdrawal or ineligibility of a candidate, the person who Vacancies, how filled.

filed the nomination paper placing such candidate in nomination may fill the vacancy by presenting a new name on a nomination paper signed by himself with his own hand. If such vacancy was caused by withdrawal the nomination paper shall be filed within twenty-four week-day hours succeeding five o'clock of the last day for making withdrawals.

Polls to be open during certain hours.

Section 136. The polls at every such primary shall be open during such hours, not less than nine in cities or four in towns, as may be designated by the aldermen of cities, and the selectmen of towns.

Canvass of returns of votes, etc.

Section 137. City clerks in cities, and town clerks in towns, shall canvass the returns of votes, determine the results, and issue proper certificates thereof to the successful candidates.

PROVISIONS APPLYING TO PRESIDENTIAL PRIMARIES.

Delegates to national conventions to be elected by direct plurality vote.

Section 138. In any year in which candidates for presidential electors are to be elected, the election of delegates and of alternate delegates to national conventions of political parties shall be by direct plurality vote in primaries.

Number to be fixed by state committee.

The number of district delegates and the number of district alternate delegates, not less than one from each congressional district, and the number of delegates and alternate delegates at large, shall be fixed by the state committee.

Notice to be given to secretary of the commonwealth.

Notice of the number of delegates to be elected shall be given to the secretary of the commonwealth on or before the third Wednesday in March by the state committee of each political party which intends to participate in such primaries.

Notice of determination to hold primaries by wards, precincts or groups of precincts to be given to secretary of the commonwealth.

Section 139. In cities and towns where the question of holding primaries by wards, precincts or groups of precincts is determined by the aldermen or selectmen, notice of such determination shall be given to the secretary of the commonwealth by the aldermen or selectmen on or before the third Wednesday in March.

Candidates for president and vice president of the United States to be placed upon ballots.

Section 140. In primaries at which delegates to national conventions of political parties are elected, the secretary of the commonwealth shall cause to be placed first upon the ballots of such political party the names of candidates for the nomination by such political party for the office of president of the United States and of vice president of the United States, arranged, under separate headings for each office, alphabetically according to their surnames, and each voter may express his preference for such candidates in the

same manner as in voting for candidates for state offices to be voted for by all the voters of the commonwealth.

Nominations to be by nomination papers, etc.

The nomination of candidates for nomination for the office of president of the United States and of vice president of the United States shall be made by nomination papers as in the case of offices to be filled by all the voters of the commonwealth.

Canvass and return of votes for delegates, etc.

Upon the receipt of the records of votes cast at presidential primaries the city or town clerk or election commissioners shall forthwith canvass the same and make return thereof to the secretary of the commonwealth, who shall forthwith canvass such returns for delegates, determine the results thereof, and notify the successful candidates.

Canvass and return of votes for preference, etc.

The votes cast for preference shall be returned and canvassed in the same manner as in the case of votes for state offices to be filled by all the voters of the commonwealth, and the secretary of the commonwealth shall forthwith certify the result to the state committees of the respective political parties.

Vacancy in delegation to a national convention, how filled.

Section 141. In case of a vacancy caused by the death, withdrawal or ineligibility of a candidate for delegate to a national convention the vacancy may be filled in such manner as may be provided on the nomination paper placing such candidate in nomination: *provided, however*, that such provision is clearly stated on such paper before the signature of any voter is entered thereon. When no such provision is made the remaining candidate or candidates nominated by the same nomination paper may fill the vacancy. In the case of a withdrawal, such vacancy must be filled by filing in the office of the secretary of the commonwealth, within seventy-two week-day hours succeeding five o'clock in the afternoon of the last day for filing withdrawals, a statement in writing signed by the person or persons authorized to fill the vacancy giving the name and residence of the candidate nominated accompanied by the written acceptance of such candidate.

Proviso.

Certain provisions of law to apply.

Section 142. The provisions of law relating to primaries not inconsistent with the three preceding sections shall apply to presidential primaries so far as is practicable.

PROVISIONS APPLYING TO ALL CAUCUSES OF POLITICAL PARTIES.

Caucuses may be held by precincts, or groups of precincts in certain cases.

Section 143. If in a city, except Boston, or town wherein elections are held by precincts, the city or town committee of either of the two leading political parties shall file with the

aldermen or selectmen, at least two weeks prior to the time of holding its caucuses, a notice that such party desires to hold its caucuses by precincts, or by groups of precincts in any ward, the aldermen or selectmen shall furnish a polling place in each precinct for the use of such party, as provided in section one hundred and sixty-one and the caucuses of such party shall be held accordingly.

Caucuses relative to special elections.

Section 144. Caucuses relative to a special election shall be held at such time and place and subject to such reasonable notice as the political committee whose duty it is to provide for holding the same may determine. Calls therefor shall be issued by the chairman and secretary of said political committee.

Calling of caucuses, etc.

Section 145. Every caucus of a political party shall be called by a written or printed notice. No caucus or meeting of a political party not so called shall be recognized as valid under this title. It shall be the duty of the presiding officer at a caucus to open such caucus at the hour appointed therefor in the notice thereof.

Notices of caucuses to apply only to members of political party calling them, etc.

Section 146. Notices of caucuses shall apply to all members of the political party calling them, and to them only. No person having voted in the caucus of one political party shall be entitled to vote or take part in the caucus of another political party within the ensuing twelve months. Except that voting or taking part in the caucuses of any municipal party by any voter shall not affect his legal right to vote or to take part in the caucuses of any other political party, for any other election; and having voted or taken part in the caucuses of another political party for any previous election, shall not affect his right to vote or take part in the caucuses of any municipal party. No voter shall be prevented from voting or participating in any caucus if he takes the following oath which shall be administered to him by the presiding officer of the caucus:

Voter may take oath.

Form of oath.

You do solemnly swear (or affirm) that you are a registered voter in this ward (or town) and have the legal right to vote in this caucus; that you are a member of the political party holding the same, and intend to vote for its candidates at the polls at the election next ensuing; and that you have not taken part or voted in the caucus of any other political party for twelve months last past.

Person whose right to vote is challenged to take oath, etc.

Such voter may be challenged like any other voter. Any person whose right to vote is challenged for any cause recognized by law shall not be permitted to vote until he has

taken the foregoing oath; and the clerk or secretary of the caucus shall make a record of the administration of said oath to every person who takes the same, which record shall state whether or not said person voted. Said record shall be returned with the proceedings of said caucus and shall be prima facie evidence in any court that such person took said oath and voted in said caucus.

Record to be made, etc.

Section 147. In balloting, the voting lists furnished under the provisions of section sixty-seven shall be used as check lists and no person shall be entitled to vote or to take part in a caucus whose name does not appear upon said lists.

Voting lists to be used.

Section 148. The persons receiving the highest number of votes in a caucus shall be declared elected or nominated.

Persons to be declared elected or nominated.

If there is a tie vote for caucus officers, the caucus officers elected shall fill the vacancy.

Tie vote for caucus officers.

If a majority of caucus officers is not elected, or there is a tie vote for candidates for an elective office, the caucus shall at once proceed to another ballot unless some one present entitled to vote objects; in which case the caucus shall adjourn to any subsequent day. The hour and place shall, if practicable, be the same as that named in the call.

Proceedings in case of a tie vote for an elective office, etc.

Section 149. The presiding officer and secretary or clerk of each caucus shall within three week days after its final adjournment deliver or send to each caucus officer a certificate of his election, and to each candidate for an elective office a notice of his nomination.

Certificates of election, etc.

Section 150. Returns of all caucuses of political parties at which are made any direct nominations for a district comprising more than one ward, or where caucuses are held in one precinct or by groups of precincts in any ward, shall be made according to the provisions of section one hundred and seventy-nine. The registrars of voters shall canvass said returns and determine the results thereof. Recounts of ballots shall be made as provided in section one hundred and eighty-one.

Returns of caucuses at which direct nominations are made, determination of results.

Section 151. If there is a tie vote for any candidate of a political party nominated directly for any office, for a district comprising more than one ward, the vacancy shall be filled by a regularly elected general or executive committee representing the election district in which such vote has been cast, but the vacancy shall be filled only by the choice of one of the candidates receiving such tie vote.

Tie vote in cases of direct nomination, how filled.

PROVISIONS APPLYING TO CAUCUSES OF POLITICAL PARTIES AT WHICH OFFICIAL BALLOTS ARE NOT USED.

Polling places to be provided, etc.

Section 152. At least two weeks prior to the date on which caucuses are to be held, the chairman or secretary of the city or town committee shall notify the aldermen or the selectmen respectively of such date, and said aldermen or selectmen shall, at the expense of the city or town, provide polling places for said caucuses, in case of a city, not less than one for each ward; and shall, at least ten days prior to the date of said caucus, give said chairman or secretary notice of the places so provided.

Notices of caucuses.

Section 153. Notice of caucuses, signed by the chairman and secretary, shall be issued by each city and town committee not less than seven days prior to the day on which they are to be held. The notices shall state the place where, and the day and hour when, the several caucuses are to be held. They shall be conspicuously posted in at least five places on the highways or streets, and if practicable, in every post office in the city or town, or shall be published at least twice in one or more local newspapers, if there are any. The hour fixed for calling the caucus to order shall not be later than eight o'clock in the evening. The notice shall designate by name or office the person who shall call such caucus to order, and he shall preside until a chairman is chosen. If he is absent at the time appointed, any member of the ward or town committee present shall call the caucus to order and preside until a chairman is chosen. The first business in order shall be the choice of a chairman, a secretary and such other officers as the meeting may determine. No person shall serve as a caucus officer at any caucus in which he is a candidate for a nomination to an elective office.

First business.

Certain persons not to serve as caucus officers.

Ballot to be taken, etc.

Section 154. A ballot shall be taken for the choice of any candidate, to be selected by such caucus, and the polls shall be kept open at least thirty minutes.

Ballots and check lists to be transmitted to city or town clerk.

Section 155. The secretary of each caucus shall forthwith, after the ballots cast therein have been counted, transmit the said ballots and the check list used at the caucus to the city or town clerk, as the case may be, who shall preserve them for ten days. If during said time ten voters entitled to vote in said caucus shall file with said clerk a written request so to do, he shall preserve the ballots and voting lists for three months, and shall produce the same

Ballots, etc., to be preserved, etc.

if required by any court of justice having jurisdiction or authority over the same.

If within three week days after any caucus a person who has received votes thereat for nomination or election to any office, shall file a statement in writing with the said clerk, claiming an election or nomination or declaring an intention to contest the election or nomination of any other person, the clerk shall preserve the ballots for such nomination or office until the claim or contest has been finally determined. In case of contest, etc., ballots to be preserved until finally determined.

The clerk shall immediately give notice in writing to the persons affected and to the chairman and secretary of the caucus, fixing a time within twenty-four hours thereafter and a place at which said ballots will be recounted. The chairman and secretary of the caucus shall, at said time and place, recount said ballots and determine the questions raised. Each candidate affected may be present during such recount, or may be represented by an agent appointed by him in writing. If it shall appear upon a recount that persons were nominated or elected other than those declared to have been nominated or elected, certificates of such change shall be made as in the case of the original certificate. Recount of ballots.

PROVISIONS APPLYING TO CAUCUSES OF POLITICAL PARTIES AT WHICH OFFICIAL BALLOTS ARE USED.

Section 156. All caucuses for the election of caucus officers, or for the nomination of candidates for any city or town office in any city or town held by a political party which has adopted the provisions of law for the use of official ballots shall be called and held as hereinafter provided. Calling, etc., of caucuses at which official ballots are used.

Section 157. Any city or town committee shall, at the written request of fifty voters, members of its party, call caucuses of said party to determine by ballot whether the provisions of law for the use of official ballots shall be adopted. The notice of said caucus shall state the purpose for which it is called, the place, the day and the hour, not earlier than six o'clock and not later than half-past seven o'clock in the evening, of holding said caucus. It shall be issued at least seven days prior to the day named therefor, and shall be published at least twice in one or more local newspapers, if there are any, and shall be posted in at least five public places in each ward or town. The polls shall be kept open at least one hour. If said caucuses shall vote to adopt said provisions, all caucuses of said political Calling of caucuses for purpose of voting on question of adoption.

party in said city or town shall thereafter be called and conducted accordingly.

Acceptance may be revoked, etc.

Section 158. A political party in a city or town which has accepted said special provisions may, not less than one year after the date of the caucus wherein such provisions were adopted, revoke such action at a caucus called and held in the manner provided in the preceding section. Upon the adoption of said provisions or upon the revocation of such adoption, the secretary of the city or town committee of such political party shall, within ten days thereafter, file with the secretary of the commonwealth and with the clerk of the city or town and the secretary of the state committee of the political party so voting, a notice thereof.

Notice of action to be filed.

Certain caucuses to be held on same day.

Section 159. All such caucuses of a political party for the choice of candidates for a city or town election, except caucuses relating to a special election, shall be held on the same day in each city and town. The city or town committee shall fix the days for holding all caucuses mentioned in this section, and all calls for the same shall be issued by its chairman and secretary.

City or town committee to fix days, etc.

Party first filing copy of call entitled to precedence.

No two political parties shall hold their caucuses on the same day. The party first filing a copy of the call for a caucus with the city or town clerk, shall be entitled to precedence as to the day so fixed.

Notices of caucuses to contain certain information, etc.

Section 160. Notice of caucuses in said cities or towns shall state the place where and the day and hour when nomination papers shall be issued; the place where and the earliest day and hour when such nomination papers may be filed, which time shall be not less than twenty-four week-day hours succeeding three o'clock of the day fixed for issuing such papers; the place where and the day and hour prior to which such nomination papers shall be filed; and the day on which the several caucuses will be held, and shall be issued not less than eighteen days prior thereto.

Polling places, etc., to be provided.

Section 161. At least two weeks prior to the day named for a caucus, the chairman or secretary of the city or town committee shall give notice of such date to the aldermen or to the selectmen, who shall, at least ten days prior to such date, notify the city or town committee of the places selected for holding the caucuses, and shall, at the expense of the city or town, provide polling places, in a city not less than one for each ward, and in cities and towns where elections or caucuses are held in voting precincts, one in each of such precincts, as the city or town committee shall designate,

but not less than one for each ward, and furnish them with booths, registering ballot boxes, guard rails and the like, as they are arranged for state elections, also postage for mailing credentials and notices or certificates of nomination and election.

Voting may proceed in two or more lines in certain cases.

If twenty-five voters of a ward or of a town shall request in writing at least twelve days before any caucus of the political party to which they belong, the aldermen or selectmen shall so arrange the polling place of such ward or town as to allow voting to proceed in two or more lines at the caucus.

Seven days' notice to be given by city and town committee, etc.

Section 162. At least seven days prior to the day named for a caucus, the city or town committee shall issue a notice that such caucus will be held, stating the place, the day and the hour of holding the same. The hour shall not be earlier than two o'clock in the afternoon nor later than half-past seven o'clock in the evening. Notices relative to the filing of nomination papers or for caucuses shall be published at least twice in one or more local newspapers if there are any.

Blank nomination papers to be provided, etc.

Section 163. The city or town shall provide, and the city or town clerk shall seasonably prepare, for each political party, blank nomination papers for use in the different wards of the city or in the town. Such papers shall state the place where, and the day and hour prior to which, signed nomination papers shall be filed. On the back of each, sections one hundred and sixty-four to one hundred and seventy, inclusive, shall be printed. They shall be delivered to the chairman or secretary of the political committee for whose use they have been prepared, and to no other person.

Nominations to be made by nomination papers, etc.

Section 164. Nominations of candidates for elective city or town offices and for caucus officers to be voted for at a caucus, shall be made by nomination papers, as hereinafter provided. Such nominations shall be made on the blank nomination papers prepared and delivered in accordance with the preceding section; and no nomination paper offered for filing shall be received or shall be valid to which is attached any card, paper or other device containing the name of a candidate, his written acceptance, or the signature of any voter required by this section. Such papers shall be signed in person by at least five voters of the ward or town in which the caucus is to be held, who shall be members of the political party holding the caucus, and who shall add to their signatures the street and number, if any, of their residences. Such papers for a district composed of more

Signatures, etc.

than one ward shall be signed by a number of voters equal in the aggregate to not less than five voters for each ward in said district. Nomination papers shall not contain a larger number of names of candidates than there are persons to be elected. No nomination paper shall be valid in respect to any candidate whose written acceptance is not thereon. No vacancy caused by the death, withdrawal or ineligibility of any of the above candidates shall be filled in the manner provided by law, unless the person entitled to fill such vacancy files the written acceptance of the candidate who is nominated to fill the vacancy.

Acceptance to be on nomination papers, etc.

Certain information may be given concerning candidates for elective office.

Section 165. The nomination paper for an elective office shall give the name of the candidate, the street and number, if any, of his residence, and may, in not more than eight words, state his occupation, the public offices he has held or that he is a candidate for renomination, provided that he is at the time an incumbent of the office for which he seeks renomination for another term, but not otherwise.

Candidates for caucus offices, etc.

The nomination paper of a candidate for a caucus office shall state the street and number, if any, of his residence.

Nomination papers to be sealed up and filed ten week days before caucus, etc.

Section 166. All nomination papers shall be sealed up and filed in the office of the secretary of the city or town committee not less than ten week days previous to the day on which the caucus is to be held for which the nominations are made, and the secretary shall indorse upon them the time at which they are received by him. They shall not be opened until the time for their filing has expired, when the secretary, at his office, shall publicly open them and publicly announce the nominations therein made.

To be publicly opened, etc.

Correction of errors, etc.

Section 167. The secretary of the city or town committee shall immediately give notice to the person filing the nomination paper of any error, irregularity or informality appearing therein, and such person may, within two week days after the time when the nomination papers were opened, correct the same, or said secretary may make such correction.

Proceedings in cities when papers are not filed.

Section 168. If, in a city, nomination papers placing persons in nomination for all the offices to be filled at a caucus in any ward are not filed, the secretary of the city committee shall forthwith notify the chairman or secretary of the committee of such ward, who shall forthwith call a meeting of said committee, which may nominate candidates for all offices for which nomination papers have not been filed, and shall immediately file with the secretary of the

Ward committee may nominate.

city committee nomination papers signed by all the members of the committee who agree to the nominations therein made. In case of disagreement two sets of such nomination papers may be filed. If, at the expiration of two week days after the time at which nomination papers were opened, proper nomination papers have not been filed for all the offices to be filled, or upon any vacancy caused by death or otherwise, except a withdrawal, the chairman and secretary of the city committee may file nomination papers for such offices or vacancies.

Two sets of papers may be filed in case of disagreement, etc.

Section 169. If, in a town, nomination papers placing persons in nomination for all the offices to be filled at a caucus are not filed, or upon a vacancy by death or otherwise, except a withdrawal, the chairman or secretary of the town committee shall forthwith call a meeting of said committee, which shall have all the powers relative to the nomination of candidates conferred in the preceding section upon a ward committee and the chairman and secretary of a city committee.

Proceedings in towns when papers are not filed, etc.

Section 170. A person who is nominated by a nomination paper may, within forty-eight week-day hours succeeding five o'clock of the day fixed for opening nomination papers, withdraw his name from nomination by a request in writing signed by him with his own hand and filed with the secretary of the city or town committee. Thereupon, the secretary shall immediately give notice of such withdrawal and of the provisions of this section to the person who filed such nomination paper, and such person may, within twenty-four week-day hours succeeding five o'clock of the last day fixed for making withdrawals, present a new name on a nomination paper signed by himself with his own hand; otherwise the chairman and secretary of the city or town committee may file nomination papers for the vacancy. If at any time subsequent to the expiration of the time for filling vacancies it shall appear that a vacancy has been created by death, the chairman of the city or town committee may file with the city or town clerk a new name to fill such vacancy; and if the time is sufficient therefor, the new name shall be printed upon the official ballot.

Withdrawals.

Filling of vacancies.

Certain vacancies caused by death, how filled, etc.

Section 171. Not less than seven week days before the day upon which the caucuses are to be held and before five o'clock in the afternoon of the last day, the secretary of each city or town committee shall deliver to the city or town clerk the nomination papers filed with him.

Nomination papers to be delivered to city or town clerk.

Correction of errors, etc.

SECTION 172. If an error or informality is found in any nomination paper, it shall be forthwith returned to the secretary of the committee by whom it was filed, for correction; and if it is not corrected and again filed before five o'clock in the afternoon of the day following its return to said secretary, it shall be void.

Objections to nomination papers, etc., by whom considered.

SECTION 173. Objections to nomination papers, and all other questions relating thereto, shall be considered in cities by the board of registrars, the city clerk and the city solicitor; and in towns by the board of registrars.

Cities and towns to provide ballots, etc.

SECTION 174. Ballots for each political and municipal party, ballot boxes, voting lists, specimen ballots, blank forms and apparatus, seals and record books, shall be provided and treated in accordance with the provisions of sections one hundred and four to one hundred and nine, inclusive, so far as is applicable, except as follows: The chairman and secretary of the city or town committee may determine the number of ballots to be provided for each ward or town, not exceeding one for each voter therein. If they fail so to do, the city or town clerk shall determine the number.

Number of ballots, how determined.

Form of official ballot, etc.

SECTION 175. On the back and outside of each ballot when folded shall be printed the words "Official ballot of the (here shall be inserted the party name)", followed by the number of the precinct and ward or the name of the town for which the ballot is prepared, the date of the caucus and a facsimile of the signature of the secretary of the political committee.

Ballots shall be printed on white paper.

Names of candidates for caucus officers shall be arranged in groups in the order in which they are filed.

Against the name of a candidate for an elective or caucus office shall be printed the street and number, if any, of his residence.

A star (*) against a name shall indicate that a person is a candidate for re-election.

Certain provisions of law to apply.

SECTION 176. Caucuses, except as herein otherwise provided, shall be held in general accordance with the provisions of law for the conduct of elections and the manner of voting thereat.

Order of business.

SECTION 177. The order of business shall be as follows: —

First, Any necessary preliminary business.

Second, Balloting until half-past eight o'clock in the evening, when the polls shall be closed unless the caucus shall vote to keep them open until a later hour; but every

voter waiting in line at the hour for closing the polls shall be allowed to vote.

Third, After the polls have been closed, any other business which is properly before the caucus.

Challenging of voters, etc.

Section 178. If the right of a person offering to vote is challenged for any legal cause, the presiding officer shall require him, or some one in his behalf, to write his name and residence on the outside of the ballot offered, and before it is received the presiding officer shall add thereto the name of the person challenging and the cause alleged for the challenge; but no caucus officer shall receive any ballot which by law he is required to refuse. No officer or other person shall give any information in regard to a ballot cast by a challenged voter unless required by law so to do.

Counting of ballots, etc.

Section 179. Immediately after the polls have been declared closed, but not before, the ballots shall be counted in full view of the voters. When they have been counted and the result has been ascertained, the presiding officer shall make public announcement thereof in open meeting, and the clerk shall, in open meeting, enter in words at length in the record book, the total number of names checked on the voting list, the total number of ballots cast, the names of all persons voted for, the number of votes for each person, and the title of the office for which he was a candidate. The clerk shall forthwith make a copy of said record, certify and seal the same, and transmit it to the city or town clerk. He shall then, before the adjournment of the caucus, and in the presence of those who counted the same, seal up all ballots cast, with the voting lists used, and a statement of any challenge which may have been made.

Clerk to make copy of record, seal up ballots, etc.

Package to be indorsed and transmitted to city or town clerk, etc.

The warden and clerk shall indorse upon such package the name of the political party holding the caucus, its date, its purpose, and, if in a city, for what ward the ballots were cast. The warden shall forthwith transmit, by the officer detailed to attend the caucus, to the city or town clerk, the ballots cast, the voting lists, the ballot boxes, the ballot box seals, the counting apparatus, the copy of the records, and the record book.

Sealed packages to be kept, etc.

The city or town clerk shall safely keep such sealed packages for ten days. If within said time ten voters entitled to vote in said caucus file with them a written request so to do, they shall preserve said ballots and voting lists for three months and shall produce them if required

by any court having jurisdiction or authority over the same.

Certified copy of voting list as checked may be furnished.

Section 180. The city or town clerk, upon written application signed by at least ten voters of a ward or town, for a copy of a list as checked, may open the envelope containing the voting list used at any caucus in such ward or town and shall furnish to them a certified copy thereof as checked.

Recount of ballots, etc.

Section 181. If before five o'clock in the afternoon of the second day next succeeding the day of any caucus, ten or more voters of any town or ward shall sign, adding thereto their respective residences on the first day of April of that year, and file with the city or town clerk, a statement under oath that the records and returns made by the caucus officers of such town or ward are erroneous, specifying the error, or that challenged votes were cast by persons not entitled to vote therein, said city or town clerk shall forthwith transmit such statement to the registrars of voters with the sealed package containing the ballots and voting lists, and said registrars shall give notice in writing to the person affected, fixing a place and time, as early as may be, at which said ballots will be recounted and at such place and time shall open the packages containing the ballots and voting lists and recount said ballots and determine the questions raised, and shall reject any challenged vote cast by a person found not to have been entitled to vote; and such recount shall stand as the true result of the vote cast in such caucus. Each candidate affected may be present during such recount, or may be represented by an agent appointed by him in writing. If it shall appear upon a recount that persons were nominated or elected other than those declared to have been nominated or elected, certificates of such change shall be made as in the case of the original certificate.

Caucus officers, election, etc.

Section 182. At the caucus held for the choice of candidates for a city or town election there shall be chosen annually a warden, a clerk, and at least five inspectors, and, in wards having more than five precincts, such additional inspectors as the city committee of the political party whose caucuses are to be held may determine. They shall be voters of the ward or town in which they are elected and members of the political party whose caucus is to be held. No person shall be eligible to the position of warden or clerk or inspector who is a state, county or city employee, or

Certain persons not eligible, etc.

who is a member of a ward or town committee, and no person shall serve as a caucus officer at any caucus wherein he is a candidate for a nomination to an elective office. Every caucus officer shall hold office for one year, beginning with the first day of the month succeeding his election, and until his successor is elected. He shall, before entering upon the performance of his duties, be sworn to the faithful performance thereof by the warden, clerk, or a justice of the peace, and a record of such oath shall be made upon the record book of such caucus. The respective duties of caucus officers shall be in general the same as are required of election officers at elections.

Term of office, oath, etc.

Duties.

Section 183. A majority of the caucus officers present at a caucus, may fill temporary vacancies and elect additional officers to serve in that caucus only. Such temporary officers shall be duly sworn. Permanent vacancies shall be filled by a majority vote of all the caucus officers.

Vacancies, additional officers, etc.

Section 184. A city or town committee of a political party which has adopted the provisions of law for the use of official ballots shall, at least ten days before holding any caucus thereunder, appoint caucus officers in each ward, town, or voting precinct in cities and towns where elections or caucuses are held in such precincts, to serve at the first caucus to be held thereafter.

Appointment of officers to serve at first caucus.

Section 185. In a newly incorporated city, or upon a re-division into wards of a city to which the said provisions apply, the caucus officers to serve in the first caucuses held in the next succeeding year shall be appointed by the city committee; and at such caucuses the regular caucus officers shall be chosen. Where additional polling places are provided, after the election of caucus officers, officers to act in such polling places shall be appointed by the city committee.

In a newly incorporated city or a re-division into wards, etc.

PROVISIONS APPLYING TO CAUCUSES OTHER THAN THOSE OF POLITICAL PARTIES.

Section 186. A caucus of the voters, or of a specified portion thereof in a ward of a city, or in a town, may be called and held for the nomination of candidates to be voted for at any city election, or at any election of town officers for which official ballots are used, or for the selection of delegates to a convention, or for the appointment of a committee. A like caucus in any representative district may

At least twenty-five voters to participate in certain caucuses.

be held for the nomination of a candidate for representative in the general court. The proceedings of such caucuses shall be invalid unless at least twenty-five voters participate and vote therein. Except as provided in this section, no caucus or meeting other than those of political parties shall be entitled to nominate a candidate whose name shall be placed on the official ballot, or to select delegates to a political convention for the nomination of a candidate whose name shall be placed on such ballot.

Entitled to nominate, etc.

Notice of caucus, etc.

SECTION 187. The notice for a caucus under the preceding section shall be written or printed, shall state the place where, and the day and hour when, said caucus is to be held, shall be issued at least seven days prior thereto, and shall be conspicuously posted in at least five places on lines of public travel, and, if practicable, in every post office within the city or town, or shall be published at least twice in one or more local newspapers. Said notice shall be signed by one or more voters of the ward, town or district for which the caucus is called, and shall designate by name or office the person who shall call such caucus to order, and he shall preside until a chairman is chosen. In his absence, the caucus may choose a temporary chairman. The first business in order shall be the organization of the caucus by the choice of a chairman, a secretary, and such other officers as the meeting may require. The persons receiving the highest number of votes shall be declared elected or nominated. The caucus may adopt regulations not inconsistent with this act.

First business, etc.

To vote by ballot upon written request, etc.

SECTION 188. Upon the written request of ten or more voters present at a caucus and entitled to vote therein, presented by motion or otherwise to the presiding officer for the time being, at any time before the choice of the officer to which it relates, any candidate, delegate or member of a political committee, and unless the caucus votes otherwise, the chairman of the caucus, shall be elected by ballot. In balloting, the voting lists furnished under section sixty-seven shall be used as check lists.

Preservation of ballots and voting lists, etc.

SECTION 189. The secretary of a caucus held under the provisions of the three preceding sections shall, at the request in writing of ten voters entitled to vote in the caucus, preserve all ballots cast and voting lists used therein for three months, and shall produce the same if required by any court, board, convention or other tribunal having jurisdiction thereof.

NOMINATION OF CANDIDATES.

Nomination of candidates.

Section 190. Except as provided in this act, no nominations of candidates for public office shall be made and no political committee or delegates to conventions shall be elected.

Certain nominations not to be made by primaries or caucuses.

Section 191. No nomination of a candidate to be voted for in an electoral district or division containing more than one town or more than one ward of a city, shall be made by primaries or caucuses, except where such candidate is to be nominated by direct plurality vote.

Nominations by primaries, caucuses and conventions.

Section 192. Each party may, at primaries, caucuses or conventions held in accordance with the provisions of this act, make as many nominations of candidates for each office as there are persons to be elected thereto, and no more, and shall be entitled to have the names of such candidates placed upon the official ballot. A party may make a nomination for an office to be filled by election in the commonwealth, or in any district, county, city, town or ward, when at the five preceding annual elections it polled in the commonwealth, or in such district, county, city, town or ward, respectively, a number of votes for governor equal to the number of voters required to nominate by nomination papers a candidate for the office so to be filled.

Nominations by certain parties.

Such party shall be entitled to have the names of all candidates so nominated placed upon the official ballot upon filing a certificate of nomination as hereinafter provided.

May have names of candidates placed upon official ballot.

Certain candidates to be nominated by direct plurality vote.

Section 193. The nomination of candidates of political parties for all offices to be filled at a state election, excepting the office of presidential elector, shall be by direct plurality vote in primaries, and the candidates of political parties for elective city offices to be voted for in two or more wards, except in Boston, and in other cities when city charters provide otherwise, shall be nominated by direct plurality vote in primaries or caucuses.

Persons receiving the highest number of votes to be the candidates nominated.

The persons who in the aggregate of all the ballots cast at such primaries or caucuses in each district for the several candidates shall receive the highest number of votes shall be the candidates nominated.

Candidates whose names are not printed on a state primary ballot to file acceptances.

No person whose name is not printed on a state primary ballot as a candidate for nomination for any office shall be entitled to have his name printed on the ballot to be used at a state election as a candidate for that office unless he files in the office of the secretary of the commonwealth,

before the last hour for filing nominations for the office for which the candidate is nominated, a written acceptance of the nomination.

Certain provisions of law to apply.

Section 194. All provisions of law relative to the preparation of nomination papers and ballots, to primaries, caucuses and elections, to ballots cast at primaries, caucuses and elections, to recounts of such ballots, shall, so far as they are applicable, apply to caucuses held for direct nominations.

Calling and holding of conventions.

Section 195. No convention to nominate candidates shall be called for or held on a date earlier than four days after the holding of the caucuses for the choice of delegates thereto, and all such conventions shall be called for and held on a date not later than forty-eight hours prior to the hour for filing certificates of nomination as provided in section two hundred and three.

Returns of precinct caucuses, tabulation, etc.

Section 196. The clerk of a city or town wherein caucuses are held by precincts or by groups of precincts in any one ward, immediately upon receipt of the returns from the caucus officers, which shall be made as provided in section one hundred and seventy-nine, shall tabulate and determine the results thereof, and issue proper certificates to the successful candidates.

Certificate of nomination: contents, signatures and oath of officers, etc.

Section 197. Every certificate of nomination shall state such facts as are required by section two hundred and one and except in cases of direct nomination for a district comprising more than one ward, and except where caucuses are held in one precinct or by groups of precincts in any ward, shall be signed by the presiding officer and by the secretary of the caucus, who shall add to their signatures their residences, and shall make oath to the truth thereof. The secretary of the caucus shall within the seventy-two hours succeeding five o'clock in the afternoon of the day upon which the caucus was held and within the time specified in section two hundred and three file such certificate as hereinafter provided.

Secretary to file certificate.

Nomination papers, number of signatures.

Section 198. Nominations of candidates for any offices to be filled by all the voters of the commonwealth may be made by nomination papers, stating the facts required by section two hundred and one and signed in the aggregate by not less than one thousand voters for each candidate. Nominations of all other candidates for offices to be filled at a state election, and of all candidates for offices to be filled at a city election, except in Boston, and in other cities where

city charters provide otherwise, may be made by like nomination papers, signed in the aggregate, for each candidate, by two voters for every one hundred votes cast for governor at the preceding annual state election in the electoral district or division for which the officers are to be elected, but in no case by less than fifty nor more than one thousand qualified voters. In Boston the nomination of candidates for any municipal elective office to be voted for at the municipal election in said city shall be made by nomination papers, prepared and issued by the election commissioners, signed in person by at least five thousand registered voters in said city qualified to vote for such candidates at said election. Nominations of candidates for offices to be filled at a town election may be made by nomination papers signed by at least one voter for every fifty votes polled for governor at the preceding annual state election in such town, but in no case by less than twenty voters. At a first election to be held in a newly established ward of a city, the number of voters upon a nomination paper of a candidate who is to be voted for only in such ward need not exceed fifty; and at a first election in a town the number for the nomination of a candidate who is to be voted for only in such town need not exceed twenty.

Nomination papers, number of signatures.

Section 199. Every voter who signs a nomination paper shall sign it in person, with his full surname, his Christian name and the initial of every other name which he may have, and shall add his residence on the previous first day of April and the place where he is then living, with the street and number thereof, if any, to his signature; but any voter who is prevented by a physical disability from writing or who had the right to vote on the first day of May in the year eighteen hundred and fifty-seven, may authorize some person to write his name and residence in his presence; and every voter may sign as many nomination papers for each office to be filled as there are persons to be elected thereto, and no more. Women who are qualified to vote may sign nomination papers for candidates for the school committee. Every nomination paper shall, before being filed, be seasonably submitted to the registrars of the city or town in which the signers appear to be voters, and in Boston to the election commissioners, who shall forthwith certify thereon the number of signatures which are names of voters both in the city or town and in the district or division for which the nomination is made. They need not certify a greater

Voters to sign nomination papers in person, adding residence, etc.

Number of nominations.

Women may sign, etc.

To be submitted to registrars, etc.

number of names than are required to make a nomination, with one fifth of such number added thereto. Names not certified in the first instance shall not thereafter be certified on the same nomination papers. The secretary of the commonwealth shall not be required in any case to file nomination papers for a candidate after filing such papers containing a sufficient number of certified names to make a nomination, with one fifth of such number added thereto.

One of the signers to make oath, etc.

One of the signers to each nomination paper shall make oath to the truth of the statements therein, and the certification of such oath and the post office address of the signer shall be annexed to such paper.

Magistrates to satisfy themselves as to identity of person making oath, etc.

Section 200. A notary public, justice of the peace or other magistrate, when taking the oath of a signer of a nomination paper, shall satisfy himself that the person to whom the oath is administered is the person signing such nomination paper, and shall so state in his attestation of said oath.

Certificates of nomination and nomination papers, contents, etc.

Section 201. All certificates of nomination and nomination papers shall, in addition to the names of candidates, specify as to each: (1) his residence with street and number thereof, if any; (2) the office for which he is nominated; and (3), except in the city of Boston, in other cities where city charters provide otherwise and as hereinafter provided, the party or political principle which he represents, expressed in not more than three words. Certificates of nomination shall also state what provision, if any, was made by the caucus for filling vacancies caused by the death, withdrawal or ineligibility of candidates. The names of the candidates for president and vice president of the United States may be added to the party or political designation of the candidates for presidential electors. To the name of each candidate for the office of alderman at large shall be added the number of the ward in which he resides.

Designation in certain cases.

If a candidate is nominated otherwise than by a political party, the name of a political party shall not be used in his political designation, except as describing and preceding some other name or term which shall not be the name of any party which cast at the last preceding election more than three thousand votes for governor; and if so used in case of a candidate nominated by a nomination paper, the political designation shall consist of not more than two words and shall not be changed after having been placed upon the paper. Certificates of nomination and nomination papers

for town offices may or may not include a designation of the party or principle which the candidate represents. If a candidate receives the nomination of a political party, and fails to withdraw therefrom, the name of any other political party shall not be used in his political designation unless he shall have received the regular nomination of such other political party.

Certificates of nomination and nomination papers to be filed, etc.

Section 202. Certificates of nomination and nomination papers for state offices shall be filed with the secretary of the commonwealth. Certificates of nomination or nomination papers for city and town offices shall be filed with the city or town clerk, in Boston with the election commissioners. Every nomination paper shall be filed by a responsible person, who shall with his own hand sign such paper and add to his signature his place of residence, giving street and number, if any; and the secretary of the commonwealth or the city or town clerk shall require a satisfactory identification of such person. No nomination paper shall be received or be valid unless the written acceptance of the candidate thereby nominated shall be filed therewith.

Acceptance to be filed with nomination paper.

Last days for filing with secretary of the commonwealth.

Section 203. Certificates of nomination of candidates for offices to be filled by all the voters of the commonwealth, except for presidential electors, shall be filed on or before the fifth Monday, and of all other candidates for offices to be filled at a state election, including presidential electors, on or before the third Thursday, and nomination papers of all candidates for offices to be filled at a state election, on or before the fourth Monday, preceding the day of the election; but if there is a special election to fill any state office, certificates of nomination shall be filed on or before the twelfth day, and nomination papers on or before the eleventh day, preceding the day of such election.

In certain cities.

In cities, except where city charters provide otherwise, certificates of nomination for city offices shall be filed on or before the third Monday, and nomination papers on or before the second Wednesday preceding the day of the election.

In Boston.

In Boston, nomination papers for all municipal offices shall be filed on or before the twenty-fifth day prior to the municipal election.

Last days for filing in towns.

In towns, certificates of nomination for town offices shall be filed on or before the second Wednesday, and nomination papers, on or before the second Thursday, preceding the day of the election; but if such Wednesday or Thursday falls on a legal holiday, said certificates of nomination or

nomination papers shall be filed on or before the succeeding day; but if a town election is held on a day of the week other than Monday, such certificates of nomination and nomination papers shall be filed respectively on or before the twelfth and eleventh days preceding the day of the election.

Last hour for filing.

Certificates of nomination and nomination papers shall be filed before five o'clock in the afternoon of the last day fixed for the filing thereof.

Nominations valid unless objected to, time of filing, etc.

Section 204. When certificates of nomination and nomination papers have been filed, and are in apparent conformity with law, they shall be valid unless objections thereto are made in writing. Such objections to nominations of candidates for state offices shall be filed with the secretary of the commonwealth, for city offices with the city clerk, or in Boston with the election commissioners, and for town offices with the town clerk; and in the case of state offices within the seventy-two week-day hours, in the case of city offices, except in Boston, and in other cities where city charters provide otherwise, within the forty-eight week-day hours, and in the case of town offices within the twenty-four week-day hours, succeeding five o'clock in the afternoon of the last day fixed for the filing of nomination papers for such offices. In Boston such objections shall be filed on or before five o'clock P.M. on the fourteenth day preceding the city election.

In Boston.

Objections, etc., by whom considered.

Section 205. Objections to nominations for state offices, and all other questions relating thereto, shall be considered by the state ballot law commission; to nominations for city offices, except in Boston, by the board of registrars, the city clerk and the city solicitor; in Boston, by the ballot law commission of said city; and to nominations for town offices, by the board of registrars.

May summon witnesses, etc.

The boards constituted in cities and towns may, at hearings on such objections and questions, summon witnesses, administer oaths and require the production of books and papers. Such witnesses shall be summoned in the same manner, be paid the same fees, and be subject to the same penalties for default, as witnesses before the superior court. A summons may be signed, and an oath may be administered by any member of such board, and the decision of a majority of the members thereof shall be final.

Notice to candidates and committees.

When such objection has been filed, notice thereof shall be forthwith mailed by the secretary of the commonwealth,

or by the city or town clerk, or election commissioners, respectively, to the candidates affected thereby, addressed to their residences as given in the certificates of nomination or nomination papers, and to any party committee interested in the nomination to which objection is made.

Determination when several candidates have same designation.

If more candidates bearing the same designation are nominated for an office, otherwise than by nomination papers, than are to be elected thereto, such boards shall determine the candidates, if any, entitled to such designation.

Withdrawal of names of candidates.

Section 206. A person nominated as a candidate for any state, city or town office may withdraw his name from nomination by a request in writing signed by him and acknowledged before a justice of the peace and filed with the officer with whom the nomination was filed, in the case of a state office within the seventy-two week-day hours, in the case of a city office, except in Boston, and in other cities where city charters provide otherwise, within the forty-eight week-day hours, and in the case of a town office within the twenty-four week-day hours, succeeding five o'clock in the afternoon of the last day fixed for the filing of nomination papers for such office. In Boston, such withdrawals shall be filed on or before five o'clock P.M. on the fourteenth day preceding the city election.

Nomination in case of death, withdrawal, etc.

Section 207. If a candidate nominated for a state, city or town office dies before the day of election, or withdraws his name from nomination, or is found to be ineligible, the vacancy for a city office in Boston may be filled by a committee of not less than five persons, or a majority thereof, if such committee be named, and so authorized in the nomination papers, and the vacancy for a state, city or town office elsewhere, except for city office where city charters provide otherwise, may be filled by the same political party or persons who made the original nomination, and in the same manner; or, if the time is insufficient therefor, the vacancy may be filled, if the nomination was made by a convention or caucus, in such manner as the convention or caucus may have prescribed, or, if no such provision has been made, by a regularly elected general or executive committee representing the political party or persons who held such convention or caucus. In the event of the withdrawal or death of any candidate of a political party nominated by direct nomination for any office, the vacancy may be filled by a regularly elected general or executive committee representing the election district in which such vacancy occurs, or, if

no such committee exists, by the members of the ward and town committees in the wards and towns comprising such district. If a vacancy is caused by withdrawal, certificates of nomination made otherwise than in the original manner shall be filed within seventy-two week-day hours in the case of state offices, or within forty-eight week-day hours in the case of city or town offices, succeeding five o'clock in the afternoon of the last day for filing withdrawals, except that in Boston all substitutions to fill vacancies caused by withdrawal or ineligibility shall be filed with the election commissioners on or before five o'clock P.M. on the twelfth day preceding the city election. They shall be open to objections in the same manner, so far as practicable, as other certificates of nomination. No vacancy caused by withdrawal shall be filed before the withdrawal has been filed.

Time of filing.

Objections.

No vacancy to be filled before withdrawal has been filed.

Certificate in case of nomination to fill vacancy.

Section 208. When a nomination is made to fill a vacancy caused by the death, withdrawal or ineligibility of a candidate, the certificate of nomination shall, in addition to the other facts required, state the name of the original nominee, the fact of his death, withdrawal or ineligibility, and the proceedings had for filling the vacancy; and the presiding officer and secretary of the convention or caucus, or the chairman and secretary of an authorized committee, shall sign and make oath to the truth of the certificate, and it shall be accompanied by the written acceptance of the candidate nominated.

To be accompanied by written acceptance.

Certificates, etc., public inspection, preservation, etc.

Section 209. Certificates of nomination, nomination papers, objections thereto and withdrawals, when filed, shall, under proper regulations, be open to public inspection, and the secretary of the commonwealth and the several city and town clerks, and in Boston the election commissioners, shall preserve the same in their respective offices for one year.

Blanks for nomination.

Section 210. The secretary of the commonwealth shall, upon application, provide blank forms for the nomination of candidates for all state offices; and he shall send blank forms for certificates of nomination for the office of representative in the general court to the clerk of each city and town for the use of any caucus or convention other than of political parties held therein for the nomination of candidates for that office. He shall likewise provide the clerks of towns wherein official ballots are used with blank forms for the nomination of candidates for town offices.

STATE BALLOT LAW COMMISSION.

State ballot law commission, appointment, term, etc.

Section 211. There shall be a state ballot law commission consisting of three persons, one of whom shall annually in June or July be appointed by the governor with the advice and consent of the council, for a term of three years from the succeeding first day of August. The governor with the advice and consent of the council may remove any member of the commission or fill any vacancy therein for the remainder of the unexpired term. There shall always be on said commission a member of each of the two leading political parties.

Not to hold certain other public office, etc.

Section 212. No member of said commission shall hold any public office except that of justice of the peace or notary public, or be a candidate for public office, or member or employee of any political committee. If any member of the commission shall be nominated as a candidate for public office and shall not in writing decline said nomination within three days, he shall be deemed to have vacated his office as a member of said commission.

May summon witnesses, administer oaths, etc.

Section 213. The state ballot law commission may summon witnesses, and administer to them oaths, and may require the production of books and papers at a hearing before it upon any matter within its jurisdiction. Witnesses shall be summoned in the same manner, be paid the same fees, and be subject to the same penalties as witnesses summoned before the general court. A summons may be signed and an oath may be administered by any member of said commission.

Decision to be final.

Section 214. The decision of a majority of the members of the commission upon any matter within its jurisdiction shall be final.

Compensation.

Section 215. The members of the state ballot law commission shall each be paid such compensation for their services, not exceeding five hundred dollars annually, as the governor and council may determine; and the total expenditures by and on account of said commission shall not exceed the sum of two thousand dollars in any one year.

PART III.

WARDS AND VOTING PRECINCTS.

Wards, new division of cities into.

SECTION 216. A city may, in the year nineteen hundred and fifteen, and in every tenth year thereafter, before the first day of July, by vote of its city council, make a new division of its territory into such number of wards as may be fixed by law. The boundaries of such wards shall be so arranged that the wards shall contain, as nearly as can be ascertained and as may be consistent with well-defined limits to each ward, an equal number of voters. The city clerk shall forthwith give notice in writing to the secretary of the commonwealth of the number and designations of the wards so established.

Secretary of the commonwealth to be notified.

Voting precincts, designation, etc.

SECTION 217. Each city shall be divided into convenient voting precincts, designated by numbers or letters and containing not more than one thousand voters.

Division of wards into voting precincts, time, boundaries, etc.

Every ward shall constitute a voting precinct by itself, or shall be divided into such precincts. If a ward constituting one precinct contains less than one thousand voters, according to the registration of voters at the preceding annual city election, the aldermen may, and if it contains more than one thousand voters, shall, on or before the first Monday of July, divide it into two or more voting precincts. If a voting precinct shall, in any year, according to such registration, contain more than one thousand voters, the aldermen shall in like manner either divide such precinct into two or more voting precincts or shall make a new division of the ward into voting precincts; so that no precinct shall contain more than one thousand voters. Such precincts shall be so established as to contain, as nearly as may be, an equal number of voters, shall consist of compact and contiguous territory entirely within one ward, and be bounded, so far as possible, by the centre line of known streets or ways or by other well-defined limits.

Voting precincts under new division of wards.

SECTION 218. On or before the first Monday of September in the year of a re-division of a city into wards, the aldermen shall divide such city into voting precincts, conformably to the provisions of the preceding section.

New division, when to take effect.

SECTION 219. For all elections in the year of a re-division of a city into wards, and in cities where annual municipal elections are held prior to such re-division for the annual

municipal election in the succeeding year, for a special election held prior to the annual state election in the next succeeding year, and for the assessment of taxes, the wards as existing previous to such re-division shall continue, and for such purposes the election officers shall be appointed and hold office, and voting lists shall be prepared, and all other things required by law shall be done as if no such re-division had been made. For all other purposes the new division shall take effect on the first day of July of the year when it is made.

Map or description of new precincts to be published and posted, etc.

Section 220. When a ward has been divided into new voting precincts, or the voting precincts thereof have been changed, the aldermen shall forthwith cause a map or description of the division to be published, in which the new precincts shall be designated by numbers or letters and shall be defined clearly and, so far as possible, by known boundaries; and they shall cause such map or description to be posted in at least ten public places in each precinct of a ward so divided, and copies thereof furnished to the registrars of voters, in Boston to the election commissioners, and the assessors, and to the election officers of each precinct so established.

Voting precincts in towns, duty of selectmen.

Section 221. A town may direct its selectmen to prepare a division of the town into convenient voting precincts. The selectmen shall, so far as possible, make the centre line of streets or ways, or other well-defined limits, the boundaries of the proposed precincts, and shall designate them by numbers or letters. They shall, within sixty days, file a report of their doings with the town clerk, with a map or description of the proposed precincts, and with a statement of the number of male voters registered in each for the preceding annual election. The report shall be presented by the town clerk at the next succeeding town meeting, but it shall not be acted upon except at a meeting called for the purpose, and held at least seven days after the report has been filed. The division so reported may be amended at such meeting, and shall take effect when adopted. Elections of state officers held in such town more than sixty days after such action shall be held in the precincts so established. If such report shall be rejected the town may at any time direct the selectmen to prepare a new division.

Report to be presented by town clerk at town meeting, etc.

Changes may be made in voting precincts.

Section 222. A town may make any change in its voting precincts which the selectmen shall have recommended in a

statement giving the boundaries, the designations of the proposed precincts and the number of voters registered in each for the preceding annual state or town election, filed with the town clerk at least seven days before a town meeting called for the purpose; but no changes other than those so proposed by the selectmen shall be made at such meeting.

Map or description to be posted, etc.

Section 223. When a town has been divided into voting precincts or the voting precincts thereof have been changed, the selectmen shall post in the office of the town clerk and in at least three public places in each new precinct a map or description in which the new precincts shall be designated by numbers or letters, and defined clearly and, so far as possible, by known boundaries; and they shall also furnish copies thereof to the registrars of voters and the assessors of such town, and to the election officers of each precinct so established.

Voting precincts may be discontinued, etc.

Section 224. Any town may, at a meeting called for the purpose, discontinue its voting precincts; and subsequent elections therein shall be held as if no such division had been made. But it may, in any subsequent year, establish voting precincts as hereinbefore provided.

Secretary of the commonwealth to be notified.

Section 225. When wards of a city have been changed or when voting precincts in a city or town have been established, changed or discontinued, the city or town clerk shall forthwith give a notice thereof in writing to the secretary of the commonwealth, stating the number and designation of such wards or such voting precincts and in a city the wards in which they are situated.

ELECTION OFFICERS.

Election officers in certain cities, appointment, etc.

Section 226. The mayor of every city, except Boston, and other cities where city charters provide otherwise, shall annually, with the approval of the board of aldermen, appoint as election officers for each voting precinct, one warden, one deputy warden, one clerk, one deputy clerk, four inspectors and four deputy inspectors, who shall, at the time of their appointment, be qualified voters in the ward of which such precinct forms a part. He may, in like manner, appoint two inspectors and two deputy inspectors in addition. Every such nomination shall be filed in the office of the city clerk of such city in the month of August, and on or before the thirty-first day of said month, and shall be acted upon by the board of aldermen not less than three days after the filing of such nomination and on or before the second Monday in September following. Such nomina-

tion shall be open to public inspection. In cities in which the board of aldermen or the board having the powers of a board of aldermen has accepted or hereafter accepts the provisions of this section the following election officers shall not be appointed: — deputy warden, deputy clerk and deputy inspectors. Deputy warden, clerk and inspectors not to be appointed in certain cities.

In Boston the election officers as aforesaid shall be appointed by the election commissioners except that no deputy election officers shall be appointed. In Boston.

Section 227. The selectmen of every town divided into voting precincts shall annually, between the first and fifteenth day of August, appoint as election officers for each voting precinct, one warden, one deputy warden, one clerk, one deputy clerk, two inspectors and two deputy inspectors, who shall be voters of the precinct. They may, in like manner, appoint two inspectors and two deputy inspectors in addition. In towns divided into voting precincts.

Section 228. Such election officers shall be so appointed as equally to represent the two leading political parties, except that, without disturbing the equal representation of such parties, not more than two of such election officers not representing either of them may be appointed. The warden shall be of a different political party from the clerk, and not more than one half of the inspectors shall be of the same political party. In each case the principal officer and his deputy shall be of the same political party. Every election officer shall hold office for one year, beginning with the fifteenth day of September succeeding his appointment, and until his successor is appointed and qualified, or until his removal. An election officer may be removed by the mayor, with the approval of the aldermen, or by the selectmen, in Boston by the election commissioners, after a hearing, upon written charge of incompetence or official misconduct preferred by the city or town clerk, in Boston by the election commissioners, or by not less than six voters of the ward, or, in a town, of the voting precinct in which the officer is appointed to act. Election officers to equally represent the two leading political parties, except, etc. Term of office. May be removed.

Section 229. In Boston, the election commissioners may upon the day of any election therein, forthwith remove any election officer found to be incompetent or so conducting himself as to prejudice the public interest, and appoint some other person of the same political party in his place; and the officer so removed shall receive no compensation for services rendered on such day, and shall be disqualified for appointment as an election officer for one year thereafter. Removal of election officers in Boston on the day of an election.

Filling of vacancies in the number of election officers.

SECTION 230. If a vacancy in the number of the election officers occurs before the twentieth day of September in any year, or, in a city, after the annual state election and one week at least before the annual city election, or if an election officer declines his appointment and gives notice thereof to the city or town clerk, or in Boston to the election commissioners, before the twentieth day of September, or, if at a special election the office of an election officer is vacant, the mayor, with the approval of the aldermen, or the selectmen, shall fill the vacancy; and the appointment shall be so made as to preserve the equal representation of the two leading political parties. Appointments to fill vacancies may be acted upon immediately by the board of aldermen. In Boston such vacancies shall be filled by the election commissioners.

Candidates not eligible to act as election officers in certain cases.

SECTION 231. No person shall, at a state, city or town election, be eligible or act as an election officer in a voting precinct in which he is a candidate for election; and if a person who has been appointed an election officer becomes such a candidate, and does not forthwith resign his office, the mayor or selectmen, in Boston the election commissioners, shall, if he is a candidate at a state election, remove him from office before the first day of November, or, if he is a candidate at a city election, the mayor, in Boston the election commissioners, shall so remove him at least eight days before the day of the election, or if he is a candidate at a town election the selectmen shall remove him before the election.

Deputy to act in certain cases, etc.

SECTION 232. If a warden, clerk or inspector is absent at the opening of the polls or subsequently on the day of election, or if the office is vacant, the deputy of such officer shall act for that election in his place. If the warden and deputy warden, clerk and deputy clerk, or an inspector and his deputy, shall be absent, the voters of the precinct on nomination and by hand vote shall fill the vacancy, and the officer so elected shall act during the remainder of the election; but otherwise no deputy officer shall act in an official capacity or be admitted to the space reserved for election officers while the polls are open or during the counting of the votes.

In cities where no deputy warden or deputy clerk is appointed, who shall act.

In cities where no deputy warden or deputy clerk is appointed, if a warden or clerk is absent at the opening of the polls or subsequently on the day of election, or if the office is vacant, the senior inspector of the same political party as such warden or clerk shall act as warden or clerk

for that election, and the voters of the precinct, on nomination and by hand vote, shall fill the vacancy in the office of inspector.

Ballot clerks of precincts, detail, duties, etc.

Section 233. At state elections in cities and in towns divided into voting precincts, and in city elections, the presiding election officer of each voting place or precinct shall detail two inspectors of different political parties to act as ballot clerks, who shall have charge of the ballots and shall furnish them to voters.

Presiding officer in towns not divided into precincts, etc.

Section 234. The selectmen in towns not divided into voting precincts shall, at meetings for the election of state officers, have the powers of wardens in cities or moderators in towns, and shall act by their chairman or senior member present, who shall be regarded as the presiding election officer.

Ballot clerks in certain towns, appointment, duties.

Section 235. At state elections in towns not divided into voting precincts, and at town elections in towns in which official ballots are used, the selectmen shall, before the opening of the polls, appoint two voters as ballot clerks, who shall have charge of the ballots and shall furnish them to voters. The selectmen or the moderator presiding at such election may subsequently appoint additional ballot clerks, not exceeding one for every four hundred voters and majority fraction thereof, and may likewise fill any vacancy after the opening of the polls. Such ballot clerks shall be so appointed as to represent the two leading political parties as equally as may be, except that such additional ballot clerks may be appointed from voters not representing either of them.

Political representation.

Oath of office of election officers.

Section 236. Every election officer before entering upon the performance of his official duties shall be sworn before the city or town clerk, a justice of the peace, or the presiding officer or clerk at the polls, and a record thereof shall be made. In Boston, the oath, except in case of vacancies filled at the polls, shall be taken before an election commissioner and record thereof made.

Tellers, appointment, duties, etc.

Section 237. Selectmen of towns shall, at least five days before a state or town election, appoint voters as tellers to assist at the ballot box and in checking the names of voters upon the voting lists, and in canvassing and counting the votes. Presiding officers in such towns, at state and town elections, may appoint voters as additional tellers, and they shall do so when requested in writing by ten voters of the town. Tellers appointed at elections at which official

Political representation.

ballots are used shall be so appointed that the election officers making and assisting in the canvass and count of votes shall equally represent the two leading political parties.

Election officers, compensation.

Section 238. Election officers shall receive such compensation for each day's actual service as the city council or the selectmen respectively may determine; but no deputy officer shall receive compensation except for attendance at the opening of the polls or for services in place of an absent officer.

City or town clerk pro tempore.

Section 239. If the office of city clerk shall be vacant, or if a city clerk shall be unable to perform the duties required by this act, the mayor shall appoint a clerk pro tempore to perform the duties required hereunder. If the office of town clerk shall be vacant, or a town clerk shall be unable to perform the duties required hereunder, the selectmen shall in writing under their hands, appoint a clerk pro tempore. Such clerk pro tempore shall be sworn to the faithful performance of his duties.

Supervisors of elections, appointment, political representation.

Section 240. The governor, with the advice and consent of the council, shall, upon the petition in writing of ten qualified voters of a ward or of a town, presented to him at least twenty-one days before a state or city election therein, appoint for such ward or town or for each of such voting precincts as may be named in the petition, two voters of the city or town, who shall not be signers of the petition or members of any political committee or candidates for any office, to act as supervisors at such election. One supervisor shall be appointed from each of the two leading political parties.

To be sworn, powers and duties.

They shall be sworn to the faithful performance of their duties by the city or town clerk or by a justice of the peace. The supervisors shall attend the polling places for which they are appointed, may challenge persons offering to vote, and shall witness the conduct of the election and the counting of votes; but they shall not make any statement tending to reveal the state of the polls before the public declaration of the vote. They shall remain where the ballot boxes are kept after the polls are open and until the ballots are sealed for transmission to the officers entitled to receive them. Each supervisor may affix his signature, for the purpose of identification, to the copy of the record of votes cast, or attach thereto any statement touching the truth or fairness or conduct of the election.

Compensation.

Supervisors shall receive such compensation for each day's actual service as the city council or the selectmen may determine.

VOTING PLACES.

Section 241. The aldermen in cities, except where city charters provide otherwise, and the selectmen of every town divided into voting precincts, and in Boston the election commissioners, shall, twenty days at least before the annual state or city election and ten days at least before any special election of a state or city officer therein, designate the polling place for each voting precinct and shall cause it to be suitably fitted up and prepared therefor. In a city or town which has provided voting booths such booths may be placed in the highways of such city or town, provided said highways are left reasonably safe and convenient for public travel. It shall be in a public, orderly and convenient portion of the precinct; but if no such polling place can be had within the precinct, they may designate a polling place in an adjoining precinct. No building or portion of a building shall be designated or used as a polling place in which intoxicating liquor has been sold within the thirty days preceding the day of the election. When the polling places have been designated, the aldermen, and in Boston the election commissioners, shall, in at least five public places in each precinct of the city, and selectmen, in at least three public places in each precinct of the town, forthwith post a printed description of the polling places designated, and may give further notice thereof.

Polling places, designation, preparation, etc.

Voting booths may be placed in highways, etc.

To be conveniently located, etc.

Certain buildings not to be used, etc.

Notice to be given, etc.

Section 242. The board of aldermen or the selectmen, in Boston the election commissioners, shall cause each polling place in their respective cities and towns to be provided with a sufficient number of suitable marking shelves or compartments where voters may conveniently and secretly mark their ballots; and they shall cause a guard rail to be so placed that only persons who are inside thereof can approach within six feet of the ballot boxes or of the marking shelves or compartments. The ballot boxes and the marking shelves or compartments shall be in open view of persons in the polling place outside the guard rail. The number of marking shelves or compartments shall be not less than one for every seventy-five voters at such polling place, and not less than five in any voting precinct of a city, and not less than three in any town or voting precinct thereof. Each marking shelf or compartment shall at all times be provided with proper supplies and conveniences for marking the ballots.

Marking shelves and guard rails to be provided, etc.

Supplies, etc., for marking ballots.

BALLOT BOXES, VOTING MACHINES, COUNTING APPARATUS AND BLANKS.

State ballot boxes and counting apparatus to be provided.

SECTION 243. The secretary of the commonwealth shall, at the expense of the commonwealth, provide every city and town for use at every polling place therein with a state ballot box and counting apparatus approved by the board of voting machine examiners as provided in section two hundred and forty-nine. Ballot boxes shall be purchased by the secretary at a price not exceeding fifty dollars each. The secretary shall likewise provide every city and town for use at each polling place by the election officers in the canvass and count of votes, with suitable blank forms.

Blank forms to be provided.

Blanks and envelopes for returns of votes, etc.

SECTION 244. The secretary of the commonwealth shall provide every city and town with suitable blank forms and envelopes for all certificates, copies of records and returns required to be made at his office, with such printed directions thereon as he may deem necessary; and such other blank forms and suggestions and instructions, as will assist the election officers in the performance of their duties. The clerks of the courts of the several counties shall in like manner provide cities and towns with suitable blank forms and envelopes for all certificates, copies of records and returns required to be made to the county commissioners and boards of examiners.

Ballot boxes, voting machines and counting apparatus, care, repair, etc.

SECTION 245. The clerk of each city or town, in Boston the election commissioners, shall provide therein a place for the safe keeping of the ballot boxes and counting apparatus furnished by the commonwealth, and of voting machines used in such city or town. They shall have the care and custody thereof, and shall see that they are kept in good order and repair. The custody, care and repair of all such voting machines, ballot boxes and apparatus shall be at the expense of the city or town, but shall be subject to the supervision and control of the secretary of the commonwealth, who may, at the expense of the commonwealth, subject to approval as aforesaid, cause necessary improvements to be made in any of such voting machines, ballot boxes or apparatus.

Defective ballot boxes, etc., may be replaced.

SECTION 246. If a state ballot box becomes defective or is lost or destroyed, the secretary of the commonwealth shall, upon application by the clerk of the city or town in which such box is used or by the election commissioners of

the city of Boston, provide another ballot box at the expense of such city or town.

Precinct seals, use, custody, etc.

Section 247. The clerk of every city, in Boston the election commissioners, and the clerk of every town divided into voting precincts shall furnish to the clerk of each voting precinct a seal of suitable device, with a designation thereon of such precinct; and such seal shall be used in sealing all envelopes required by law to be used at the elections. The clerk of the precinct shall retain the custody of the seal, and shall, at the end of his term of office, deliver the same, with the records of the precinct and other official documents in his custody, to the city or town clerk, or election commissioners.

Ballot box, apparatus, etc., to be sent to polling place.

Section 248. Every city and town clerk, or in Boston the election commissioners, shall send to the election officers at each polling place, before the opening of the polls on the day of an election or meeting at which the same are required to be used, the ballot box, blank forms and counting and other apparatus.

State ballot law commission to constitute state board of voting machine examiners.

Section 249. The state ballot law commission shall constitute the state board of voting machine examiners and no member of said commission shall have any pecuniary interest, directly or indirectly, in any voting machine, ballot box or counting apparatus. They shall, at such times, under such conditions, and after such public notice as they shall determine, examine voting machines, ballot boxes and counting apparatus, and they shall file with the secretary of the commonwealth their approval in writing of all machines, ballot boxes and counting apparatus which in their judgment conform to the requirements of law, together with such written or printed descriptions, and such drawings, specifications and photographs as will clearly identify such machines, and the secretary of the commonwealth shall send a copy of each report on voting machines to every city and town clerk. For the purpose of such examination the said board may employ not more than three expert machinists at a cost not exceeding ten dollars each for each day employed, to be paid from the appropriation for the expenses of the commission.

Examination and approval of voting machines, ballot boxes and counting apparatus.

Expert machinists may be employed.

Secretary of the commonwealth to be notified if any machine, ballot box or counting apparatus ceases to conform to

If any machine, ballot box or counting apparatus approved and prescribed by said board in accordance with the provisions of this and of the following section shall, in the judgment of the board at any time thereafter, by reason of the enactment of further requirements, cease to conform

requirements of law, etc.

to the requirements of law, the board shall notify the secretary of the commonwealth thereof, who shall forthwith send a copy of such notice to every city and town clerk; and no such machine, ballot box or counting apparatus shall be used at any primary or election until, upon examination by said board, it shall in their judgment conform to all the requirements of law, and shall be approved in the manner hereinbefore provided.

Requirements of voting machines.

Section 250. Voting machines shall furnish convenient, simple and satisfactory means of voting at primaries and elections and of ascertaining and recording the true result thereof with facility and accuracy, special regard being given to the prevention and detection of double voting at primaries and elections and to voting for candidates of more than one political party at a primary; but no machine shall be approved which does not secure to the voter as much secrecy in voting as is afforded by the use of the official ballot.

Requirements of ballot boxes.

Ballot boxes shall have sufficient locks and keys or seal fastenings, and shall contain mechanical devices for receiving, registering and cancelling every ballot deposited therein; but no such box shall record any distinguishing number or mark upon the ballot.

Only approved machines, ballot boxes and counting apparatus to be used.

No machine, ballot box or counting apparatus, except such as is approved in accordance with the provisions of this and of the preceding section, shall be used at any election, primary or caucus in this commonwealth; nor shall any such machines, ballot boxes or counting apparatus be used except in accordance with the provisions of this act.

Arrangement of names, etc., on voting machines.

The arrangement of names and questions on voting machines shall be in general the same as on the official ballot, except that when in the judgment of the ballot law commissioners it is not practicable, said commissioners shall determine the arrangement.

Purchase and use of voting machines.

Section 251. The mayor and aldermen of a city, or the body corresponding thereto, or a town, may, at a meeting held at least thirty days before the primary or election at which the voting machines are to be used, determine upon and purchase one or more voting machines approved as provided in section two hundred and forty-nine, and order the use thereof at primaries and elections of state, city or town officers in such city or town; and thereafter at all primaries and elections of state, city or town officers in that city or town, until otherwise ordered by the aldermen in a city, or the board corresponding thereto, and the selectmen in a town, said machines shall be used at primaries and for the purpose of voting for the officers to be elected at

such elections and for taking the vote upon the question of granting licenses for the sale of intoxicating liquors and upon other questions submitted to the voters. In Boston, the power to determine upon, purchase and order the use of voting machines shall be vested in a board consisting of the election commissioners and the mayor; and the expense so incurred shall be deemed an expense of the election department of the city; and the machines so purchased shall be used at primaries and elections in that city until otherwise ordered by said commissioners. Machines purchased may be paid for either by appropriation, by the issue and sale of bonds, or by the issue and delivery of certificates of indebtedness or other negotiable obligations, of such amounts and payable at such times as shall be determined by the board or officers purchasing the machines.

How machines purchased may be paid for.

For polling places in which voting machines are to be used no ballot boxes or ballots shall be furnished.

No ballots, etc., to be furnished where machines are used.

Section 252. The body, board or official charged with the conduct of elections in any city or town in which voting machines are used shall, before the opening of the polls at a primary or election, cause each machine to be prepared for use and delivered at the polling place, and shall cause to be done all things necessary to hold the primary or election with machines.

Preparation for use and delivery at polling place.

Section 253. In any election when voting machines are used in any polling place in any city or town, the number of election officers in such polling place may be less than six in the discretion of the board, body or official in which or in whom the authority to determine the number of election officers in such polling place is vested by law, subject, however, to the provisions of section two hundred and twenty-eight.

Election officers when voting machines are used.

Section 254. The ballot law commission shall make regulations for the use of the voting machines, ballot boxes and counting apparatus approved by the board, and suitable instructions for the voters in cities and towns in which such machines, ballot boxes and counting apparatus are used shall be prepared and furnished by the secretary of the commonwealth.

Regulations for use of voting machines, ballot boxes and counting apparatus.

Section 255. No voting machine shall be used at a primary or election until it has been inspected under the direction of the secretary of the commonwealth and found upon such inspection to conform to drawings and specifications to be filed in the office of the secretary by the ballot law commission, with their report on the machine, nor shall

Voting machines, ballot boxes and counting apparatus to be inspected, etc.

any ballot box or counting apparatus be so used until it has been inspected and approved under the direction of the secretary.

Persons of whom machines or ballot boxes are purchased to give bond, etc.

Section 256. When voting machines or ballot boxes are purchased by the commonwealth or by a city or town, the person or persons of whom the purchase is made shall give to the secretary of the commonwealth, or city or town clerk, as the case may be, or in Boston to the election commissioners, a bond with sufficient sureties to keep such machines or ballot boxes in working order for two years. Such persons shall also give a bond with sufficient sureties, conditioned to defend and indemnify the commonwealth or cities and towns purchasing and using the machines or ballot boxes against any suit at law or in equity and for any expense, damage or inconvenience which they may incur or suffer by reason of any suit brought against them for infringement of patents or other rights, arising from the purchase or use of such machines or ballot boxes.

PREPARATION AND FORM OF BALLOTS.

Ballots, preparation and furnishing.

Section 257. All ballots for use in elections of state officers shall be prepared and furnished by the secretary of the commonwealth; all ballots for use in elections of city officers, by the city clerk, in Boston by the election commissioners; and all ballots for use in elections of town officers, in a town which has voted to use official ballots, by the town clerk. No ballots as herein provided shall be printed in any printing establishment owned or managed by the city of Boston.

Ballots not to be printed in certain establishments.

General ballots.

Section 258. General ballots for the use of male voters in a voting precinct or town shall contain the names of all candidates duly nominated for election therein, and such ballots shall, except as provided in section two hundred and sixty, contain the name of no other person.

Residence to be added to name of candidate.

To the name of each candidate for a state office shall be added the name of the city or town in which the candidate resides. To the name of each candidate for a city office shall be added the name of the street on which he resides, with his street number, if any; and to the name of each candidate for the office of alderman at large shall also be added the number of the ward in which he resides.

Political designation.

To the name of each candidate for a state or city office, except city offices in Boston, shall be added in the same

space his party or political designation or designations, expressed in accordance with section two hundred and one. To the name of each candidate for a town office upon an official ballot shall be added the designation of the party or principle which he represents, contained in the certificate of nomination or nomination papers. No greater number of candidates for any office, bearing the same political designation, nominated otherwise than by nomination papers, shall be placed upon the official ballot than are to be elected.

Candidates with same designation.

If the name of a political party is used in connection with some other name or term as the designation of a candidate nominated for a state or city office by a nomination paper, the words "nomination paper", or "nom. paper", shall be added to such political designation.

Designation of certain candidates nominated by nomination papers.

If a candidate shall receive the nomination of more than one party or more than one political designation for the same office, he may, within the seventy-two hours next succeeding five o'clock of the last day fixed for the filing of nomination papers, by a writing delivered to the officer or board required by law to prepare the official ballot, direct in what order the several nominations or political designations shall be added to his name upon the official ballot; and such directions shall be followed by the said officer or board. If, during said time, said candidate shall neglect to direct in writing as aforesaid, then said officer or board shall add said nominations or political designations to the name of said candidate upon the official ballot in such order as said officer or board shall determine.

Candidates receiving nomination of more than one party, etc., may direct as to order on ballot.

Section 259. The names of candidates for every state, city and town office, except the names of candidates for presidential electors, shall be arranged under the designation of the office in alphabetical order according to the surnames, except that for municipal offices in Boston the names of candidates for the same office shall be printed upon the official ballot in the order in which they may be drawn by the board of election commissioners, as provided in section fifty-seven, chapter four hundred and eighty-six of the acts of the year nineteen hundred and nine; but the names of candidates for the same office but for different terms of service therein shall be arranged in groups according to the length of their respective terms, and the names of candidates nominated by single wards but to be voted for at large shall be arranged in groups by wards. In the case of the office of representative in congress, the designation may be "con-

Arrangement of names.

Designation for office of representative in congress.

Blank spaces to be left.

gressman." Blank spaces shall be left at the end of the list of candidates for each different office, equal to the number to be elected thereto, in which the voter may insert the name of any person not printed on the ballot for whom he desires to vote for such office. If the approval of a constitutional amendment or any other question is submitted to the voters, it shall be printed on the ballot after the names of the candidates.

Question to be submitted to voters.

Special ballots.

Special ballots containing only the names of candidates for school committee shall also be prepared in like manner and printed for the use of women qualified by law to vote for school committee.

Marking of ballots, directions for, etc.

Ballots shall be so printed as to give to each voter an opportunity to designate by a cross [X], in a square at the right of the name and designation of each candidate, and at the right of each question, his choice of candidates and his answer to such question; and upon the ballots may be printed such directions as will aid the voter: for example, "vote for one", "vote for two", "yes", "no", and the like.

Official indorsement.

On the back and outside of each ballot when folded shall be printed the words, "Official Ballot for", followed by the designation of the voting precinct or town for which the ballot is prepared, the date of election, and a facsimile of the signature of the secretary of the commonwealth, or city or town clerk, in Boston a facsimile of the signatures of the election commissioners, who has caused the ballot to be prepared. Special ballots shall have the additional indorsement, "For School Committee only."

Presidential electors, arrangement of names of candidates, etc.

Section 260. The names of candidates for presidential electors shall be arranged in groups as presented in the several certificates of nomination or nomination papers. The groups shall be arranged in the alphabetical order of the surnames of the candidates for president, and the names of the candidates in each group shall be printed upon the ballots in two columns of equal width. If candidates are nominated at large and for the several congressional districts, the name and place of residence of one of the candidates at large shall be put at the head of each column, and the names of the other candidates with their places of residence and the numbers of their congressional districts shall follow in the numerical order of the districts. The surnames of the candidates of each political party for the offices of president and vice president, with the political designation thereof at the right of the surnames, shall be

placed in one line above the group of candidates of such party for electors. A sufficient square in which each voter may designate by a cross [X] his choice for electors shall be left at the right of each political designation; and no other space or margin shall be left in any such group of candidates.

Official ballots, paper, size, form, type, etc.

Section 261. The official ballots shall, except as otherwise provided herein, be of ordinary white printing paper, of two or more pages, and shall, before distribution, be so folded as to measure not less than four and one half inches nor more than five inches in width and not less than six inches nor more than thirteen and one half inches in length. The names of all candidates shall be printed in black ink in lines at a right angle with the length of the ballot. The names of all candidates, other than candidates for presidential electors and for president and vice president, and the initial letters of all names of candidates for presidential electors, shall be in capital letters not less than one eighth of an inch nor more than one quarter of an inch in height. The surnames and political designations of the candidates for president and vice president shall be in capital letters not less than three sixteenths of an inch in height.

Special ballots to be printed on colored paper.

The special ballots for women registered to vote for school committee shall be printed on colored paper of a different color from that of specimen ballots.

Ballots, number to be provided.

Section 262. One set of ballots of not less than sixty ballots for every fifty and fraction of fifty registered voters shall be provided for each polling place at which an election for state, city or town officers is to be held, and one set of special ballots of not less than sixty ballots for every fifty and fraction of fifty women registered to vote for school committee shall be provided for each polling place at which an election for city or town officers is to be held: *provided, however,* that the secretary of the commonwealth or the city or town clerk, as the case may be, may provide a duplicate set of ballots for any polling place when he deems it necessary.

Proviso.

Partial ballots for use in certain cases.

A sufficient number of partial ballots in state elections shall be prepared for voters who may be entitled to vote for a part only of the officers to be voted for in a city or town. A statement shall be printed on the back of such ballots, in addition to the official indorsement, indicating the class of voters for whose use the ballots are furnished, and such ballots only shall be furnished to such voters.

Ballots to be arranged in packages, etc.

Section 263. Ballots, in convenient numbers, shall be arranged in packages. A record of the number of ballots

printed and delivered to each polling place shall be kept by the secretary of the commonwealth, or the city or town clerk, for one year.

Printing of ballots when vacancy occurs.

Section 264. If a vacancy occurs or is declared in the list of nominations, by reason of death or ineligibility, the name of the candidate nominated to fill such vacancy shall, if the ballots have not been printed, be placed on them or, if the ballots have been printed, ballots containing the new nomination shall, when practicable, be substituted.

INFORMATION TO VOTERS.

Cards of instruction, etc.

Section 265. The secretary of the commonwealth in state elections, city clerks in city elections, in Boston the election commissioners, and town clerks in town elections at which official ballots are used, shall, for every such election, prepare and cause to be printed in large clear type cards containing full instructions to voters for obtaining ballots, marking them, obtaining assistance and new ballots in place of those accidentally spoiled; and on separate cards such abstracts of the laws imposing penalties upon voters as they shall deem proper. They shall also provide for each polling place ten or more specimen ballots which shall be facsimiles of the ballots provided for voting, but printed without the indorsements and on colored paper. The secretary of the commonwealth shall provide copies of any proposed amendment to the constitution submitted to the people, with a heading in large type, "Proposed Amendment to the Constitution."

Specimen ballots, etc., to be provided.

Copies of proposed amendments to the constitution.

Lists of candidates, etc., state elections, to be transmitted to registrars, etc.

Section 266. The secretary of the commonwealth shall, at least five days before state elections, transmit to the registrars, in Boston to the election commissioners, printed lists of the names, residences and designations of candidates to be voted for at each polling place, substantially in the form of the official ballot, and also printed copies of any proposed amendment to the constitution. The registrars or election commissioners shall, upon the receipt thereof, conspicuously post in not less than three public places in each voting precinct or town the lists and copies aforesaid for such precinct or town.

To be posted.

City election, posting, publication.

Section 267. City clerks, in Boston the election commissioners, shall, at least four days before a city election, cause to be posted in every voting precinct the names, residences and designations of all candidates duly nominated to be voted for in such city, substantially in the form of the

official ballot, and cause the same to be published in at least two newspapers, if there are so many published in said city, representing so far as practicable the two leading political parties.

Town election, posting.

Section 268. Town clerks in towns using official ballots shall, at least four days before an election therein, cause to be posted in one or more public places the names, residences and designations of all candidates duly nominated to be voted for in such town, substantially in the form of the official ballot.

Lists of candidates, etc., state and city elections, to be published.

Section 269. The secretary of the commonwealth before every state election shall cause to be published a list of all candidates to be voted for in each senatorial district, except in the county of Suffolk, and the question of the approval and ratification of any proposed amendment to the constitution, and the city clerks, in Boston the election commissioners, before every city election shall cause to be published a list of all candidates to be voted for in their respective cities. Such lists and questions shall be in the form, as near as may be, in which they are to appear upon the official ballot, and said publication shall be made for state elections in each senatorial district in at least four newspapers in the English language, if there are so many in that district, except in the county of Suffolk, and in the county of Suffolk such publication shall be made in at least four newspapers in the English language published therein. Such publication, so far as is practicable, shall be in newspapers representing the two leading political parties, and at such reasonable cost as may be determined by the secretary of the commonwealth. For city elections such publication shall be made in at least two newspapers representing the two leading political parties, if there are so many in the city, devoted wholly or chiefly to the publication of general or local news.

Notice to be given to voters in cities of referendum measures.

Section 270. Whenever any proposed law, or amendment to the constitution, is to be placed upon the ballot at any election to be voted upon by the voters taking part in such election, it shall be the duty of the city clerk in every city where the proposed law or amendment is to be voted upon, except as hereinafter provided, to cause to be sent to each of the registered voters in his city entitled to vote thereon a copy of the proposed law or amendment of the constitution, with the statement that the proposed law or amendment is to be voted on at said election.

Statement of general purport of proposed law or amendment may be substituted in certain cases.

Section 271. Upon a vote of the city council of any city, with the approval of the mayor, there may be substituted for a copy of such proposed law or amendment a statement of the general purport of the proposed law or amendment, which statement shall be prepared by the city solicitor of the city and shall be approved by the mayor and city council.

When to be sent.

Section 272. All such copies or statements shall be sent not less than seven days and not more than twenty-one days before the election at which said matter is to be voted upon.

Certain provisions may be suspended, etc.

Section 273. By vote of the city council of any city, with the approval of the mayor, the provisions of the three preceding sections may be suspended and made inapplicable as to a particular proposed law or constitutional amendment.

DELIVERY OF BALLOTS, ETC.

Ballots, etc., state election, packing.

Section 274. Ballots for state elections shall be enclosed in a package by the secretary of the commonwealth, sealed and marked with the number of ballots of each kind therein, and specimen ballots, cards of instruction, cards containing abstracts of the laws imposing penalties upon voters, and copies of any proposed amendment to the constitution shall be enclosed in another package, and the whole shall be further enclosed in a single package with marks on the outside indicating its contents and the polling place for which it is intended.

Delivery, record, etc.

He shall transmit to the city or town clerks, in Boston to the election commissioners, the ballots, cards of instruction, cards containing abstracts of the laws imposing penalties upon voters, and copies of proposed amendments to the constitution, so that they shall be received at least twelve hours before the date of election, and the clerks or election commissioners shall return receipts therefor to the secretary. He shall keep a record of the time when and the manner in which the several packages are transmitted, and shall preserve the receipts therefor for one year.

City and town elections.

The clerk of each city, in Boston the election commissioners, and the clerk of each town using official ballots shall enclose the ballots, specimen ballots, cards of instruction and cards containing abstracts of the laws imposing penalties upon voters for city or town elections in the same manner.

Delivery at polls, state

Section 275. The city or town clerk, in Boston the election commissioners, shall, on the day of every state or

city election, before the opening of the polls, transmit to the election officers of each polling place therein, the ballots with accompanying specimen ballots, cards of instruction, cards containing abstracts of the laws imposing penalties upon voters, and copies of proposed amendments to the constitution, which have been provided for such polling place; and the presiding election officer at the polling place shall receipt therefor to the clerk, or election commissioners, and such receipt, with a record of the number of ballots transmitted, shall be kept in the clerk's or election commissioners' office for one year. At town elections, the town clerk shall, on the day of the election, before the opening of the polls, deliver the ballots at the polling place to the ballot clerks, who shall receipt therefor, and their receipt shall be preserved in the office of the clerk for the period of one year. If a moderator presides at such election, no such ballots shall be delivered to voters until he has been chosen. The town clerk shall also deliver the specimen ballots, cards of instruction and cards containing abstracts of the laws imposing penalties upon voters at the same time and place. No ballots or specimen ballots shall be delivered by city or town clerks except as provided in this section.

and city elections.

Receipt, record.

At town elections.

Section 276. If the ballots provided for any polling place are not delivered, or if after delivery they are destroyed or stolen, the city or town clerk, in Boston the election commissioners, shall cause similar ballots to be prepared; and upon receipt of such new ballots, accompanied by a statement by the clerk or election commissioners under oath that they have been so prepared and transmitted by him or them, and that the original ballots have not been delivered or have been so destroyed or stolen, the ballots so substituted shall be used.

Substitute ballots.

CALLING OF ELECTIONS.

Section 277. The annual state election for the choice of governor, lieutenant governor, councillors, secretary, treasurer and receiver general, attorney-general, auditor of the commonwealth, and senators and representatives in the general court, shall be held on the Tuesday next after the first Monday in November. There shall also be chosen at the annual state election, when required by law, presidential electors, and, in their respective districts or counties, representatives in congress, district attorneys, clerks of the courts, registers of probate and insolvency, registers of deeds,

Annual state election, date, officers to be chosen.

county commissioners, associate commissioners, sheriffs and county treasurers.

Calls for elections in cities.

Section 278. Meetings of the voters of each city for the election of state officers and city officers shall be called by the aldermen, and the city clerk shall, under their direction, cause notice of such meetings to be printed in one or more newspapers published in such city and to be conspicuously posted in the office of the city clerk; and in Boston, in at least four daily newspapers published therein. Such notices shall be in lieu of the notices or warrants for election required in any city by special statutes. Meetings of the voters of each town for the election of state officers and town officers shall be called as provided in section three hundred and ninety-four. Meetings for the annual state, city and town elections shall be called at least seven days before the day prescribed for the holding thereof.

In towns.

Seven days' notice to be given.

Notices or warrants to specify offices, etc.

Section 279. Notices or warrants for meetings for state and city elections and for the election of town officers in towns where official ballots are used shall specify by name all the offices to be voted for, and state in full any proposed amendment to the constitution or other question submitted to the people: *provided, however,* that any act submitted for acceptance may be stated by its chapter number and title only. They shall specify the time when the polls will be opened, and in cities, when the polls will be closed, and in towns, when they may be closed.

Proviso.

To specify time for opening and closing polls, etc.

In cities, time of opening and closing polls.

In cities, the polls may be opened as early as six o'clock in the forenoon and shall be opened as early as ten o'clock in the forenoon and shall be kept open at least six hours, but in no case after the hour of eight o'clock in the evening.

In towns, time of opening and closing polls.

In towns, at the election of state and town officers, the polls may be opened as early as fifteen minutes before six o'clock in the forenoon and shall be opened as early as twelve o'clock, noon, and shall be kept open at least four hours, and until the time specified in the warrant when they may be closed; and they may be kept open for such longer time as the meeting shall direct, but they shall not be kept open after the hour of eight o'clock in the evening. At annual town meetings they shall be kept open at least one hour for the reception of votes upon the question of licensing the sale of intoxicating liquors. After an announcement has been made by the presiding officer of a time so fixed for closing the polls they shall not be closed at an earlier hour.

A town may by by-law designate the hour at which the annual town meeting shall be called, and, subject to the provisions of this section, may designate the hours during which the polls shall remain open; and, further, may provide that all business, except the election of such officers and the determination of such matters as by law are required to be elected or determined by ballot, shall be considered after a certain hour, or by adjournment to another day.

A town may by by-law designate hour at which annual town meeting shall be called, etc.

CONDUCT OF ELECTIONS.

Section 280. At an election of state or city officers, and of town officers in towns where official ballots are used, the presiding election officer at each polling place in a city or town shall, before the opening of the polls, post at least three cards of instruction, three cards containing abstracts of the laws imposing penalties upon voters, three copies of proposed constitutional amendments, if any, and at least five specimen ballots within the polling place outside the guard rail, and the cards of instruction and a copy of any proposed amendment in each marking compartment; and no other poster, card, handbill, placard, picture or circular intended to influence the action of the voter, except a paster to be placed upon the official ballot, shall be posted, exhibited, circulated or distributed in the polling place, in the building in which the polling place is located, on the walls thereof, on the premises on which the building stands, on the sidewalk adjoining the premises where such election is being held, or within one hundred and fifty feet of the entrance to such polling place. Pasters to be placed on the official ballot shall be subject to all the restrictions imposed by sections two hundred and fifty-eight and two hundred and sixty-one as to names, residences and political designations of candidates and the size of the type in which the names shall be printed. The presiding election officer shall, at the opening of the polls, publicly open the packages containing the ballots and deliver them to the ballot clerks. All specimen ballots not posted shall be kept in the custody of the presiding officer until after the closing of the polls.

State, city and town elections, posting instructions, etc.

Pasters to be subject to certain restrictions.

Delivery of ballots to ballot clerks.

Disposition of specimen ballots not posted.

Section 281. The state ballot boxes shall be used for receiving the ballots in state and city elections, and in town elections where official ballots are used. The election officers at each polling place shall, at the opening of the polls and before any ballots are received, publicly open the ballot

State ballot boxes to be used, etc.

At opening of polls to be shown to be empty.

box, and ascertain by personal examination, and publicly show that the same is empty, and shall immediately thereafter lock or fasten the box. The clerk of the precinct or town shall make a record of the condition of the box register, and, if a key is used, it shall be retained by the police officer or constable at the polling place. The ballot box shall not, after it is shown to be empty, be removed from public view until all ballots have been removed therefrom and the box has been relocked or sealed. The ballot box shall not be opened nor any ballot removed therefrom until the polls are closed, except as provided in section three hundred and two; but in order to make room for ballots, the presiding officer may, in the presence of all the election officers, open the box and pack and press down the ballots therein.

Record, custody of key.

Not to be removed from public view.

Opening of box, removal of ballots, etc.

Presiding officer to have charge of ballot box, etc.

The presiding officer of each polling place shall have charge of the ballot box and ballot box seal, and shall, at the close of each election, return the same, either personally or by a police officer or constable in attendance at the polling place, to the city or town clerk, in Boston to the election commissioners.

State ballot box, proceedings when impossible to use.

If it becomes impossible to use the state ballot box, the voting shall proceed in such manner as the presiding officer shall direct, and in such case the clerk shall record the reason why such ballot box is not used, and shall enclose an attested copy of such record in the envelope with the ballots cast. The provisions as to the use and custody of the state ballot box shall, so far as applicable, apply to the ballot box substituted therefor.

Provisions to apply to substitute.

Voting lists, delivery and use.

Section 282. One voting list shall be delivered to the ballot clerks and another to the officers in charge of the ballot box. When a ballot is delivered to a voter, his name shall be checked on the first and when he deposits his ballot it shall be checked on the second. The officer in charge of the ballot box and the officer in charge of the voting list shall be of different political parties.

Political representation at box and list.

No statement to be made before public declaration of vote, except, etc.

Section 283. No election officer shall, before the public declaration of the vote, make any statement of the number of ballots cast, the number of votes given for any person, the name of any person who has voted or whose name has not been checked, or of any other fact tending to show the state of the polls, except that he shall when requested make a statement of the figures on the ballot box register, which statement shall not be considered an official declaration as to the state of the polls or of the number of ballots cast.

Section 284. No persons except the election officers, supervisors, the city clerk of the city, in Boston the election commissioners, and voters admitted for the purpose of voting, shall, during the progress of an election and until the public declaration of the vote, be permitted within the guard rail, unless authorized by the election officers for the purpose of keeping order and enforcing the law. Persons permitted within guard rail.

Section 285. No more than four voters, besides election officers and supervisors, the city clerk of the city, in Boston the election commissioners, in excess of the number of marking compartments provided, shall be allowed at one time within the guard rail, and except the election officers and supervisors, no voters shall be admitted therein after the time fixed for closing the polls; but voters previously admitted shall be allowed five minutes after the time so fixed to deposit their ballots. Number of voters allowed within guard rail.

Section 286. The presiding officer at each polling place shall enforce the performance of their duties by election officers. He shall have authority to maintain order and to enforce obedience to his lawful commands, during an election and the counting of the ballots after the close of the polls, in and about the polling place and to keep the access thereto open and unobstructed, and he may require any police officer, constable or other person to communicate his orders and directions and assist in their enforcement. Presiding officer, general powers and duties.

Section 287. The board or officer in charge of the police force of each city and town shall detail a sufficient number of police officers or constables for each polling place at every election therein to preserve order and to protect the election officers and supervisors from any interference with their duties and to aid in enforcing the provisions of this chapter. Police officer, etc., to preserve order.

Section 288. Any person who, during an election or town meeting, shall, in a polling place or place of such meeting, smoke or have in his possession a lighted pipe, cigar or cigarette, or carry into any such place or keep therein any intoxicating liquor, shall be deemed guilty of disorderly conduct; and the presiding officer shall order him to remove such pipe, cigar, cigarette or liquor, or to withdraw from such place, and for disobedience of such order shall cause him to be removed from such polling place or meeting. Persons smoking, etc., or having liquor, etc., to be removed.

Section 289. If a person at an election refuses to obey the lawful commands of the presiding officer or, by disorderly conduct interrupts or disturbs the proceedings of an election officer, the presiding officer may require any police Offender to be detained, etc., but not prevented from voting.

officer, constable or other person to take him into custody and detain him until after the election; but the presiding officer may at any time order his release. Such order of detention shall not be so enforced as to prevent such person, if a voter at that polling place, from voting.

Duties of officers when law is violated.

Section 290. Every election officer shall forthwith report any violation of the provisions of sections two hundred and seventy-seven to three hundred and thirty-four, inclusive, to the police officer or constable in attendance at the polling place, and such police officer or constable shall cause the offender to be prosecuted.

MANNER OF VOTING.

Voting, giving of name, delivery of ballot, etc.

Section 291. Each voter desiring to vote at a polling place where official ballots are used shall give his name and, if requested, his residence to one of the ballot clerks, who shall thereupon distinctly announce the same; and if such name is found upon the voting list by the ballot clerk, he shall check and repeat the name and give one ballot to such voter, who shall then be admitted within the guard rail. If not entitled to vote for all the offices upon the ballot, he shall receive a partial ballot. If the voter is a woman, she shall receive a special ballot containing the names of candidates for school committee only.

Marking of ballots.

Section 292. The voter on receiving his ballot shall, without leaving the enclosed space, retire alone to one of the marking compartments, and shall, except in the case of voting for presidential electors, prepare his ballot by making a cross [X] in the square at the right of the name of each candidate for whom he intends to vote or by inserting the name of such candidate in the space provided therefor and making a cross in the square at the right; and, upon a question submitted to the vote of the people, by making a cross in the square at the right of the answer which he intends to give.

Voting for presidential electors.

Section 293. A voter may vote for an entire group of candidates for presidential electors by making a cross [X] in the square at the right of the party or political designation immediately above such group. If a voter does not intend to vote for any one candidate in the group, he may erase his name, and the cross shall count as a vote for each of the other candidates in such group. If a voter desires to vote for another person in place of a candidate whose name he

has erased, he may insert his name in one of the blank spaces and make a cross in the square at the right thereof. A voter who does not mark for any group of candidates may vote for candidates for electors, up to the number to be elected, by inserting names in the blank spaces at the end of the groups of electors and making a cross in the square at the right of each name so inserted.

Assistance in marking ballot.

Section 294. A voter who declares on oath to the presiding officer that he had the right to vote on the first day of May in the year eighteen hundred and fifty-seven and cannot read, or that from blindness or other physical disability he is unable to prepare his ballot or register his vote upon a voting machine, shall be assisted in such marking or registering by one or two of the election officers, who shall be of such political party, represented among the election officers, as the voter may request; and they shall certify, on the outside of the ballot, when ballots are used, that it was marked with their assistance, and shall thereafter give no information regarding such marking or registering.

Certain marks upon ballot prohibited.

Section 295. Except as authorized by this act, no voter, election officer or other person shall place any mark upon a ballot by which it may be identified; nor shall any person place a mark against any name upon a ballot not cast by himself.

Voter spoiling ballot may obtain others.

Section 296. If a voter spoils a ballot, he may obtain two others, one at a time, upon returning each spoiled one, and all ballots so returned shall immediately be marked by an election officer "Spoiled."

Voter to fold ballot, etc.

Section 297. Before leaving the marking compartment the voter shall fold his ballot, without displaying the marks thereon, as it was folded when received by him, and he shall keep it so folded until he has voted. A voter shall mark and deposit his ballot without undue delay, and shall leave the space enclosed by the guard rail as soon as he has voted. No voter shall occupy a marking compartment occupied by another, nor remain within the guard rail more than ten minutes, nor occupy a voting compartment more than five minutes, if all the marking compartments are in use and other voters are waiting to occupy the same.

Time allowed in enclosed space, etc.

Depositing ballot, giving name, etc.

Section 298. A voter after marking his ballot shall give his name and, if requested, his residence, to one of the officers in charge of the ballot box, who shall distinctly announce the same. If the name is found upon the voting

list by the election officer, he shall distinctly repeat the name, and in Boston the height, and check the name upon the voting list; and the voter may then deposit his ballot in the ballot box with the official indorsement uppermost and in sight. No ballot without the official indorsement, except as provided in section two hundred and seventy-six, shall be deposited in the ballot box. No person shall vote if his name is not on the voting list, nor until the election officer shall check his name thereon, unless he presents a certificate from the registrars of voters as provided by section sixty-four.

No ballot without official indorsement to be deposited, etc.

Voter's name to be checked, etc.

Ballots not to be removed, from enclosed space, etc.

Section 299. No person shall remove any ballot from the space enclosed by the guard rail before the polls are closed. No voter whose name has been checked on the voting list in charge of the ballot clerk, other than an election officer or supervisor, shall again enter such enclosed space during the election.

Proceedings when vote is challenged.

Section 300. If in any state, city or town election at which official ballots are used the right of a person offering to vote is challenged for any legal cause, the presiding officer shall administer to him the following oath:

You do solemnly swear [or affirm] that you are the identical person whom you represent yourself to be, that you are registered in this precinct [or town] and that you have not voted at this election.

He shall also be required to write his name and residence on the outside of the ballot offered, and the presiding officer shall add thereto the name of the person challenging, and the cause assigned therefor, whereupon such ballot shall be received; and no person shall make any statement or give any information in regard thereto, except as required by law. The clerk shall record the name and residence of every person who has been challenged and has voted.

COUNTING OF VOTES.

State blanks and apparatus to be used, etc.

Section 301. The blank forms and apparatus provided by the secretary of the commonwealth shall be used in ascertaining the result of the election or vote in state elections in cities and towns, in city elections, in elections of town officers in towns in which official ballots are used, and also in taking the vote upon any proposed amendment to the constitution, upon the question of granting licenses for the sale of intoxicating liquors, and upon any other

question submitted by statute to the voters of the commonwealth, or of any city or town in which official ballots are used. If it is impossible to use such blank forms or apparatus, the canvass of the votes shall be made as the presiding officer shall direct; and the clerk shall record the facts relating to the failure to use such blank forms or apparatus, and shall enclose an attested copy of such record in the envelope with the ballots cast.

Proceedings when impossible to use.

Section 302. If the state ballot box is used, the clerk shall, as soon as the polls are closed, record the ballot box register. The election officers shall then, publicly and in the presence of the other election officers, count audibly and distinctly the number of names checked on each list and announce the same. The ballot box shall then be opened by the presiding officer and the ballots taken therefrom and audibly counted, one by one, and the whole number of ballots cast shall be publicly announced by him. The ballots may be divided into convenient packages, and, except as hereinafter provided, each block or package shall be canvassed and counted by two election officers representing the two leading political parties, detailed by the presiding officer. Each election officer, in so canvassing and counting votes, shall be under the inspection of an election officer of a different political party. The result of the canvass and count shall be reported to the presiding officer, who shall cause it to be correctly recorded on the blank forms provided for the purpose. At state elections in towns not divided into voting precincts, the canvass and count of votes shall be made by the selectmen and town clerk, who may be assisted by the tellers.

Proceedings at close of polls.

Canvass of ballots, etc.

At state elections in towns not divided into voting precincts.

The clerk in open meeting shall publicly announce the result of the vote and enter in his records, in words at length, the total number of names of male and female voters checked on the voting lists, the total number of ballots cast, the names of all persons voted for, the number of votes for each person and the title of the office for which he was a candidate, the number of blank ballots for each office, and the number of affirmative and negative votes in answer to any question submitted to the voters, and shall forthwith make a copy of such record, certify and seal up the same, and deliver it to the city or town clerk, in Boston to the election commissioners, who shall forthwith enter it in his or their records.

Announcement of result, etc.

The voting lists and all ballots removed from the ballot box shall be kept in open view of the voters present until

Ballots, proceedings, etc., to be kept in open view, etc.

enclosed and sealed up, and all proceedings in the canvass and counting of votes shall be public and in open view of the voters, and there shall be no adjournment or postponement until the canvass and counting have been completed, and the voting lists and ballots have been enclosed and sealed up.

Removal of ballots from ballot box before voting has ceased, counting, etc.

In towns, the ballot box at any polling place may be opened and ballots taken therefrom for counting when all the selectmen and the town clerk, or both the moderator and the town clerk, as the case may be, or all the election officers at the voting precinct shall so order. When the ballots have been thus removed the presiding officer shall select from the election officers an equal number from each of the two leading political parties, who shall canvass such ballots, in accordance with the provisions of this section; but no announcement of the result of such canvass shall be made by any election officer until the total result of the canvass of ballots has been ascertained.

No announcement to be made, etc.

Certain ballots not to be counted.

Section 303. If the use of a state ballot box is required, no ballot shall be counted unless it has been deposited in and cancelled by such ballot box, or has been otherwise deposited according to the provisions of section two hundred and eighty-one; and no ballot shall be counted in any election for which official ballots are provided except such ballots. If a voter marks more names than there are persons to be elected to an office, or if his choice cannot be determined, his ballot shall not be counted for such office. Ballots cast but not counted shall be marked "defective" on the outside thereof, and shall be preserved like other ballots.

Defective ballots.

Ballots cast to be sealed up, indorsed, etc.

Section 304. The presiding officer at every polling place at elections of state and city officers and of town officers in towns in which official ballots are used shall, after the record of the counting has been made, cause all ballots cast to be publicly enclosed in an envelope and sealed up with the seal provided for the purpose, and also with the private seal of any election officer who may desire to affix the same; and a majority of the election officers of the voting precinct or town shall indorse upon such envelope the polling place, the election and the date, and also a certificate that all the ballots cast by the voters of such precinct or town, and none other, are contained therein. He shall cause all ballots not cast to be enclosed in an envelope and sealed up as aforesaid, and shall certify on the envelope the contents thereof.

Ballots not cast to be sealed up and certified.

Such presiding officer shall cause the voting lists to be enclosed in an envelope and sealed up as aforesaid, and a majority of the election officers shall certify thereon to the identity of the voting lists enclosed. He shall forthwith personally deliver to the city or town clerk, or in Boston to the election commissioners, or transmit to him or them, by the police officer or constable in attendance at the election, all the ballots cast, and not cast, the voting lists, the ballot box, ballot box seals and counting apparatus.

Voting lists to be sealed up and certified.

Ballots, voting lists, etc., to be delivered to city or town clerk or election commissioners.

Section 305. Upon written application, signed by at least ten voters in the town or ward of which the precinct forms a part, the city or town clerk, and in Boston the election commissioners, may open the envelope containing such voting list and may make a copy of the list as checked. In Boston, such copies shall contain only the name and residence of the voter. After any such voting list has been so copied, said clerk or election commissioners shall at once enclose the list in an envelope and seal up the same and certify thereon to the identity of such lists.

Copies of voting lists as checked may be furnished.

Voting lists to be again sealed and certified.

Section 306. City and town clerks, in Boston the election commissioners, shall retain in their custody the envelope containing the ballots cast, without examining them or permitting them to be examined by any person except as required by law, and upon the expiration of the period fixed for their preservation shall cause such ballots to be destroyed.

Ballots cast, custody, destruction, etc.

City and town clerks, in Boston the election commissioners, shall retain in their custody the voting lists and ballots not cast as long as they retain the ballots cast. They shall then transmit such voting lists to the registrars of voters for future reference, and shall destroy the ballots marked "Spoiled", without examining them or permitting them to be examined, and may make such disposition of the undistributed ballots as they may deem proper.

Voting lists and ballots not cast, custody, disposition, etc.

Records and Certificates of Election.

Section 307. No record of votes cast or copy thereof shall be rejected if the number of votes given for each candidate for an office can be ascertained therefrom.

Record not to be rejected when number of votes can be ascertained.

Section 308. The aldermen and city clerk, in Boston the election commissioners, and the selectmen and town clerk in towns divided into voting precincts, shall forthwith after a state or city election examine the copies of the records of the election officers, and if any error appears therein, they

Examination of precinct records, correction, etc.

shall forthwith give notice thereof to the officers by whom the error was made, who shall forthwith make an additional record under oath in conformity with the facts and deliver a copy thereof to the city or town clerk or election commissioners. Such copy of the records made, with or without notice as aforesaid, shall be received by the city or town clerks or election commissioners at any time before the last day fixed for the transmission of copies of records of the votes cast in the city or town, or on which the results of the election are required to be declared.

Examination of records, certification of copies, etc.

The aldermen and city clerk, the election commissioners, and the selectmen and town clerk, shall examine all original and all additional copies of the records and make them part of the records of such election, and shall certify and attest copies of the records of votes for the several candidates.

Returns of votes to secretary of the commonwealth.

Section 309. The clerk of each city and town, within ten days, and in Boston the election commissioners, within fifteen days, after the day of any election therein for a senator in congress, representative in congress, governor, lieutenant governor, councillor, secretary, treasurer and receiver general, auditor of the commonwealth, attorney-general, clerk of courts, register of probate and insolvency, sheriff, district attorney, or senator, or for presidential electors, shall transmit to the secretary of the commonwealth copies of the records of votes for such officers, certified by the aldermen or the selectmen, or by the election commissioners, and attested and sealed by the clerk or by said commissioners. The city or town clerk shall, within ten days after an election for county treasurer or register of deeds, transmit to the county commissioners, and within ten days after an election therein for county commissioners or associate commissioners, transmit to the clerk of the courts the records of votes for such officers, certified, attested and sealed as aforesaid; except that in Chelsea, Revere and Winthrop the records of votes for register of deeds shall be transmitted to the election commissioners of Boston, and that in Revere and Winthrop the records of votes for county commissioner and associate commissioners shall be transmitted to the clerk of the courts for the county of Middlesex. Such copies shall be transmitted in envelopes, upon which shall be stated the offices for which and the districts in which the votes were cast.

Returns of votes to county commissioners and clerks of courts, etc.

For register of deeds, Suffolk county.

For county commissioners, etc., Revere and Winthrop, etc.

To be transmitted in envelopes properly indorsed.

Proceedings when copy is received unsealed.

Section 310. If any such copy transmitted to the secretary of the commonwealth is not sealed as required by law,

he shall forthwith give notice thereof to the officers who transmitted the same; and thereupon another copy shall be made, attested, certified, sealed and transmitted to the secretary. If the second copy is received by him before determination of the persons appearing to be elected and the original appears to be in substantial conformity therewith, the original copy shall not be rejected.

Memorandum of receipt to be made.

Section 311. The secretary of the commonwealth shall cause the date of the receipt of each copy of the records of votes to be indorsed on the envelope containing it; and if received unsealed, a memorandum thereof shall be made on the copy.

Examination of returns of votes.

Section 312. The secretary of the commonwealth shall lay before the governor and council the copies of the records of votes cast with their seals unbroken. The governor with at least five councillors shall, as soon as may be, open and examine all such copies and determine who are elected to the several offices. Upon such determination, the secretary, upon application, shall furnish to newspapers an abstract of the records of the votes examined.

Abstract for newspapers.

Certification of examination.

Section 313. The governor shall, in the presence of at least five councillors, certify to the results of the examination of the copies of the records of the votes for governor and lieutenant governor, for councillors, for secretary, treasurer and receiver general, auditor of the commonwealth, and attorney-general, and for senators and shall issue his summons to such persons as appear to be chosen to said offices. The governor shall issue certificates of election to such persons as appear to be chosen to the offices of senator in congress, representative in congress, clerk of the courts, register of probate and insolvency, sheriff and district attorney, which shall be countersigned and transmitted by the secretary.

Summons to be issued.

Certificates of election to be issued.

Returns, etc., to be delivered to secretary of the commonwealth.

To be laid before legislature.

Section 314. After such certification, such copies shall be replaced in their respective envelopes and delivered with the certificate of examination to the secretary, who shall on the first Wednesday in January lay the same, with schedules showing the number of ballots cast for each person voted for, before the senate and house of representatives.

To be filed in office of secretary.

Except for the above purposes, all such copies, both original and corrected, transmitted to the secretary, shall remain on file in his office and be there open to the inspection of any interested person.

Presidential electors, examination of

Section 315. The copies of the records of votes for presidential electors shall, in any event, within ten days after

returns of votes.

they have been transmitted to the secretary of the commonwealth be opened and examined by the governor and council,

Proclamation.

who shall thereafter declare, by proclamation printed in at least one newspaper in each county, the names of the persons who have received at least one fifth of the entire number of votes cast for electors, and the number of votes received by each such person. The several persons, to the number of electors required to be chosen, who have received the highest number of votes so ascertained, unless notice of a contest has been received by the governor, shall, at the expiration of fourteen days from the date of such proclamation, be deemed to be elected; and the governor shall thereupon issue a certificate of election to every such person.

Certificates of election to be issued unless contested.

Certain persons may petition for a declaration of election, etc.

Section 316. Any person who appears, by the proclamation of the governor, to have received not less than one fifth of the entire number of votes cast for electors, may, if the election is contested, apply by petition to the supreme judicial court for the county of Suffolk, for a declaration of his election as an elector. Such petition shall set forth the name of every person whose election is contested and the ground for the contest shall be filed within seven days after the date of such proclamation and shall not thereafter be amended. Before any proceedings thereon, the petitioner shall recognize to the commonwealth, in such sum and with such sureties as the court shall order, to pay all costs incurred in the prosecution of his petition if he shall not prevail. If the petitioner prevails, the cost shall be paid by the commonwealth. The court shall fix a day for a hearing by the full court, which shall be not less than three nor more than seven days after the date of the filing of the petition, and shall order notice of the hearing to be given, with a statement of the substance of the petition in such manner as it may direct, to the governor and to every person whose election is contested. The court shall also order such notice to be published in at least one newspaper designated by it in each county.

Day to be fixed for hearing, notice, etc.

Petitioner and contestant may appear and produce evidence, etc.

Section 317. The petitioner and the contestant may appear and produce evidence at the hearing, and no person other than the petitioner or a contestant shall be made a party to the proceedings on such petition, or be heard thereon. If more than one petition is pending, or the election of more than one person is contested, the court may, in its discretion, order the cases to be heard together and shall apportion the costs between them, and shall finally determine all questions

of law and fact. No person shall be excused from testifying or producing papers or documents therein on the ground that his testimony or the production of the papers or documents will tend to criminate him; but no person so testifying shall be liable to any suit or prosecution, civil or criminal, for any matter or cause in respect to which he shall be so examined or to which his testimony shall relate, except to a prosecution for perjury committed in such testimony. The court shall forthwith certify its decision to the governor, who shall thereupon issue certificates of election in accordance therewith. If the petitioner does not prosecute his petition it shall be dismissed and notice thereof given to the governor, who shall issue certificates of election to the persons entitled thereto.

Witnesses not to be excused.

Not liable to prosecution, etc.

Court to certify its decision to governor, etc.

SECTION 318. The county commissioners to whom the copies of the records of votes for county treasurer and register of deeds have been transmitted shall, on the first Wednesday of the month following the election, examine such copies, determine what persons appear to be elected, issue certificates of election to them and give notice to the secretary of the commonwealth of the name, residence and term of office of every person elected.

County commissioners to examine certain returns of votes, etc.

Notice to secretary of the commonwealth.

In the county of Suffolk, the election commissioners of Boston shall, within ten days after the election of register of deeds, in like manner examine the copies of the records of votes, determine who appears to be elected, issue a certificate and give notice as above provided.

Returns of votes for register of deeds, Suffolk county.

SECTION 319. In each county except Suffolk and Nantucket, the judge and register of the probate court and the clerk of the courts shall be a board of examiners; and if two of said offices are held by the same person in any county, the sheriff shall be a member of the board. The members of said board shall each be paid at the rate of three dollars a day for every day employed in the performance of their duties and ten cents a mile for travel to and from the place of their meeting; and their accounts shall be audited and settled by the county treasurer. Said board shall meet on the first Wednesday of the month following an election for county commissioner or associate commissioners and shall examine such copies, determine what persons appear to be elected, issue certificates of election to them and give notice to the secretary of the commonwealth of the name, residence and term of office of every person so elected, and shall, within three days thereafter deposit said copies in the office of the clerk of the courts.

Board of examiners to examine in certain counties, etc.

Notice to secretary of the commonwealth, etc.

When incomplete, etc., new returns to be made, etc.

Section 320. If it shall appear to the governor and council, to the board of examiners, to the election commissioners or to the county commissioners, that any such copy is incomplete or erroneous, they may order a new copy of the records to be made and transmitted to them. Such new copy shall be transmitted by the city or town clerk, in Boston by the election commissioners, within seven days thereafter, and if found to be correct and in conformity to the requirements of law, shall have the same force as a first copy.

Representative district, one city or town, etc., examination, record.

Section 321. If a district for the election of representatives in the general court is composed of one city or town, or one or more wards of a city, the board of aldermen or the selectmen, in Boston the election commissioners, shall forthwith examine the records of the votes and determine who appear to be elected. The city or town clerk or election commissioners shall record the names of all persons for whom votes for representative were cast, and the number of votes for each.

In other districts copy of record to be delivered to city or town clerk.

Section 322. In other representative districts, the election officers in every voting precinct, and the selectmen and town clerk of each town therein not divided into voting precincts, shall, as soon as the vote for representatives has been recorded, cause a complete copy of such record to be made, and shall certify, seal and deliver it to the city or town clerk.

Clerks to meet and determine election, etc.

The city and town clerks in such districts shall meet at the place designated at noon on the tenth day following the day of the election; but on the fourth day following the day of an election to fill a vacancy. They shall examine the copies of the records of votes of every such voting precinct and town, and determine who appear to be elected to the office of representative. They shall, in words at length, make and certify a schedule of the names of all persons for whom votes for representative were cast in the district and the number of votes for each, and the clerk of each city and town shall record such schedule within four days after the day of the meeting.

Designation of places of meeting of clerks.

Section 323. If a representative district is included within the provisions of the preceding section, the officers authorized to divide the county into representative districts shall, in making such division, designate a place in each such district or adjacent thereto at which the clerks shall meet to determine the result of the election. Such place of meeting may be changed on petition of two of such clerks

Place may be changed.

after a hearing; but not oftener than once in two years. Notice of such designation and of every change thereof shall be given by the said officers having such authority to the secretary of the commonwealth, and to every city and town clerk in the district. Notice to be given.

Section 324. If an error appears in the copies of the records of votes for a representative, the city and town clerks shall forthwith give notice thereof to the election officers, who shall thereupon make an additional record under oath and transmit a copy thereof to said clerks. Such additional copy shall be examined by them if received within two days from the time appointed for their meeting; and for such purpose their meeting may be adjourned for not more than two days. Correction of errors in records of votes for representatives.

Section 325. The board of aldermen, the election commissioners, the selectmen, or the city or town clerks acting in a representative district shall make duplicate certificates of election of the persons appearing to be elected and shall, within fifteen days after the day of the election, or within ten days after the day of an election to fill a vacancy, transmit one certificate to the secretary of the commonwealth, and shall transmit the other certificate, by a constable or other officer, to the person elected. Such certificates of election shall be in the following form: — Certificates of election to be made in duplicate. Transmission.

Commonwealth of Massachusetts, county of . At a meeting of the qualified voters of Representative District Number , held on the day of November instant, for the choice of Representatives in the General Court to be holden on the first Wednesday of January next, were elected to said office. Form of certificate.

Dated at the day of in the year one thousand nine hundred and .

Sections one to four, inclusive, of chapter three, Revised Laws, this section and section three hundred and thirty-eight of this act shall be printed on every such form. The officer transmitting the certificate shall make a return of his doings. Officer transmitting to make return, etc.

Section 326. City and town clerks, in Boston the election commissioners, shall, within fifteen days after an election for representative in the general court, transmit to the secretary of the commonwealth an attested copy of the record of votes cast for all candidates for said office in each voting precinct and in each town not divided into voting precincts. Returns of votes to secretary of the commonwealth.

Whole number of ballots to be stated in words at length, etc.

SECTION 327. The whole number of ballots cast at elections shall be stated in words at length in the records of votes and in all copies thereof, but if not so stated, the record or copy shall not be invalid if the true result can be ascertained therefrom.

Violation of certain provisions not to affect, etc.

SECTION 328. A violation by a public officer or election officer of laws relative to providing ballot boxes, blank forms and other apparatus or to the care and preservation thereof, or to the manner of canvassing and counting votes, shall not invalidate any record or copy of a record or certificate made by a city, precinct or town clerk, or in Boston the election commissioners, or affect the title of a person declared to be elected to office.

Number of names checked to be certified to secretary of the commonwealth.

SECTION 329. The city or town clerk, in Boston the election commissioners, shall, within fifteen days after an election of state, city or town officers, certify to the secretary of the commonwealth the total number of names of male and of female voters checked on the voting list at such election in each voting precinct or town.

Report of number of assessed polls, registered voters, etc.

SECTION 330. The secretary of the commonwealth shall, before the first day of February, report to the general court the number of assessed polls, the number of registered male and female voters at the date of the preceding annual state election and city or town election, and the total number of persons, male and female, who voted at each such election in every city and town, and in every voting precinct therein, and the number of votes received by each candidate for nomination and for election for a state office, and for election for a state committee, arranged by cities, towns and districts, and a concise statement of other matters relating to elections, with such suggestions as he may deem advisable.

RECOUNTS OF VOTES.

Contested election, ballots to be retained.

SECTION 331. If a person who has received votes for any office at an election shall, within thirty days thereafter, himself or by his agent serve upon a city or town clerk, in Boston the election commissioners, a written claim to such office or a declaration of an intention to contest the election of any other person, the clerk or commissioners shall retain the envelopes containing the ballots for such office until such claim is withdrawn or the contest is determined. The envelopes and ballots shall be subject to the order of the body to which such person claims to be elected,

or of the officers required by law finally to examine the records and to issue certificates of election to such office, or of any court having jurisdiction thereof. Such body or officers may require the clerk or commissioners to produce such envelopes and ballots, and may recount the ballots and amend any record or copy thereof in relation to such office.

Recount of ballots.

Section 332. If, on or before five o'clock on the third day next succeeding the day of an election in a ward of a city or in a town, ten or more voters of such ward or town, except Boston, and in Boston fifty or more voters of a ward, shall sign in person, adding thereto their respective residences on the first day of April of that year, and cause to be filed with the city or town clerk, or in Boston with the election commissioners, a statement sworn to by one of the subscribers that they have reason to believe and do believe that the records, or copies of records, made by the election officers of certain precincts in such ward or town, or in case of a town not voting by precincts, by the election officers of such town, are erroneous, specifying wherein they deem them to be in error and that they believe a recount of the ballots cast in such precincts or town will affect the election of one or more candidates voted for at such election, specifying the candidates, or will affect the decision of a question voted upon at such election, specifying the question, the city or town clerk shall forthwith transmit such statement and the envelopes containing the ballots, sealed, to the registrars of voters, who shall, without unnecessary delay, but not before the last hour for filing requests for recounts, open the envelopes, recount the ballots and determine the questions raised; but upon a recount of votes for town officers in a town in which the selectmen are members of the board of registrars of voters, the recount shall be made by the moderator, who shall have all the powers and perform all the duties conferred or imposed by this section upon registrars of voters.

Errors in records of election officers, statement, etc.

Statement, etc., to be transmitted to registrars of voters.

Determination of questions raised.

Recount of votes in certain towns to be made by moderator.

The registrars of voters, or in Boston the election commissioners, shall, before proceeding to recount the ballots, give notice in writing to the several candidates interested in such recount and liable to be affected thereby, or to such person as shall be designated by the petitioners for a recount of ballots cast upon questions submitted to the voters, of the time and place of making the recount, and each such candidate or person representing petitioners shall be allowed to be present and witness such recount, either in person,

Candidates and persons representing petitioners to be notified.

Persons who may be present and witness recount.

accompanied with counsel if he so desires, or by an agent appointed by him in writing. In the case of a recount of the ballots cast upon a question submitted to the voters, one representative from any committee organized to favor or to oppose the question so submitted shall be permitted to be present and witness the recount. In the city of Boston, the chairman of the city committee representing the largest political party and the chairman of the city committee representing the second largest political party may in writing designate two persons, or such further number as the election commissioners may allow, to be present and witness the count, and said election commissioners shall allow each candidate whose election is in question, or his representative, to be present and may allow representatives of other political parties and other persons to be present and witness the recount.

In Boston.

Recounts to be upon questions designated in statements, etc.

All recounts shall be upon the questions designated in the statements filed, and no other count shall be made, or allowed to be made, or other information taken, or allowed to be taken, from the ballots on such recount.

Envelopes to be sealed and indorsed, etc.

The registrars of voters or election commissioners, shall, when the recount is complete, enclose all the ballots in their proper envelopes, seal each envelope with a seal provided for the purpose, and certify upon each envelope that the same has been opened and again sealed in conformity to law; and shall likewise make and sign a statement of their determination of the questions raised. The envelopes, with such statement, shall, except in Boston, be returned to the city or town clerk, and the clerk or commissioners shall alter and amend such records as have been found to be erroneous in accordance with such determination; and the records so amended shall stand as the true records of the election. Such amended records of votes cast at a state election shall be made and transmitted as required by law in the case of copies of original records. If, in case of a recount of votes for town officers, it shall appear that a person was elected other than the person declared to have been elected, the registrars of voters shall forthwith make and sign a certificate of such fact, stating therein the number of votes cast, as determined by the recount, for each candidate for the office the election to which is disputed, and shall file the same with the town clerk. The town clerk shall record the certificate and shall, within twenty-four hours after such filing, cause a copy of such certificate, attested by him, to be

Except in Boston to be returned to city or town clerk, etc.

Amended records, certificates of election, etc.

delivered to or left at the residence of the person so declared to have been elected, and to the person who by such certificate appears to be elected.

Registrars of voters may employ such clerical assistance as they may deem necesssary to enable them to carry out the provisions of this section. Clerical assistance.

Section 333. No officer recounting ballots shall, except as required by law, make any statement or give any information relative to a ballot cast by a challenged voter. No information to be given regarding challenged voter.

Section 334. The board of aldermen, or in Boston the election commissioners, shall not declare the result of an election for state or city officers or of a vote upon any question submitted to the voters until the time for filing a petition for a recount of ballots has expired, or, if such petition has been filed, until the ballots have been recounted and the returns amended, notwithstanding any special act relating to such city. After the ballots have been recounted and the records amended, said board or commissioners shall forthwith declare the result of the election, and the city clerk or election commissioners shall thereupon issue certificates of their election to the persons elected. No person elected to a city office shall act in an official capacity by virtue of such election before such certificate has been issued. Result of elections in cities not to be declared until certain time, etc. Not to act before certificate of election has been issued.

PART IV.

PROCEEDINGS IN CASES OF FAILURE TO ELECT, AND VACANCIES IN STATE OFFICES.

Section 335. If, upon examination of the copies of the records of votes for presidential electors, it appears that a majority of the whole number of electors has not been chosen, the governor shall forthwith, by proclamation, call together the general court; and the senators and representatives assembled in joint convention shall by ballot choose electors to complete the full number. Presidential electors, failure to elect a majority.

If the whole number of electors has not been chosen when the electors meet on the second Monday in January, or if an elector has died or is then absent, the electors present shall forthwith choose electors from the citizens of the commonwealth to complete the full number. Vacancy or absence at time of meeting.

Section 336. Upon a failure to choose a senator in congress or upon a vacancy in said office the governor shall cause precepts to be issued to the aldermen in every city and the selectmen in every town directing them to call meetings of Senator in congress, failure to elect or vacancy.

the voters on the day appointed therein for the election of such senator.

Representative in congress, failure to elect or vacancy.

Section 337. Upon a failure to choose a representative in congress or upon a vacancy in said office, the governor shall cause precepts to be issued to the aldermen in every city and the selectmen in every town in the district, directing them to call meetings of the voters on the day appointed therein for the election of such representative.

Representative in general court, failure to elect.

Section 338. Upon a failure to choose a representative in the general court at the annual state election, a certificate thereof shall be transmitted forthwith to the secretary of the commonwealth by the officers required to transmit certificates of election, and another election to fill the vacancy for such representative shall be held on the fourth Monday of the same month of November.

Vacancy.

Upon a vacancy in the office of representative in the general court or upon the failure to elect on the fourth Monday of November, the speaker of the house of representatives shall issue precepts to the board of aldermen of each city and the selectmen of each town comprising the district or any part thereof, appointing such time as the house of representatives may order for an election to fill such vacancy. Upon the receipt of such precepts, the aldermen or the selectmen shall call meetings of the qualified voters in the district, which shall be held in accordance with the precepts.

District attorney and county officers, failure to elect.

Section 339. Upon a failure to choose a district attorney, clerk of the courts, register of probate and insolvency or sheriff, the governor shall cause precepts to be issued to the proper officers, directing them to call meetings of the voters on the day appointed therein, for the election of such officer.

Vacancy.

Upon a vacancy by removal or otherwise in any of the above named offices, he shall in like manner cause precepts to be issued for an election to fill such vacancy at the next annual state election for which precepts can be seasonably issued.

Vacancy, appointment.

Upon a vacancy in the office of district attorney, register of probate and insolvency or sheriff, the governor with the advice and consent of the council may appoint some person thereto until a district attorney, register of probate and insolvency or sheriff is elected and qualified. Upon a vacancy in the office of clerk of the courts in any county, or of the clerk of the supreme judicial court in the county of Suffolk, the justices of said court may appoint a clerk who shall hold the office until a clerk is elected and qualified.

Upon a vacancy in the office of a clerk of the superior court in the county of Suffolk, the justices of said court may appoint a clerk, who shall hold the office until a clerk is elected and qualified.

Clerk of superior court, Suffolk county, vacancy.

Section 340. Upon a failure to choose a county treasurer or a register of deeds for a county or district, except the counties of Suffolk and Nantucket, the county commissioners shall forthwith issue precepts to the board of aldermen of each city and the selectmen of each town in such county or district, directing them to call meetings of the voters for the election of such officer on a day appointed therein.

County treasurer, register of deeds, failure to elect.

Upon a vacancy by removal or otherwise in the office of county treasurer or of register of deeds in a county or district, except the counties of Suffolk and Nantucket, the county commissioners shall in like manner issue precepts for an election to fill such vacancy at the next annual state election for which precepts can be seasonably issued, and may appoint some person to fill such office until a person is elected thereto and qualified.

Vacancy.

In case of inability of the treasurer of any county to act as such treasurer by reason of illness or absence from the county, or by reason of any other cause, the county commissioners for said county may appoint some person to fill such office until said treasurer is able to resume his duties. The person appointed to act as temporary treasurer shall give a bond to secure the faithful performance of his duties, in such sum and with such sureties as said county commissioners shall approve.

In case of inability of county treasurer to act, etc., county commissioners may appoint, etc.

Person appointed to give bond.

Upon a failure to choose a register of deeds in the county of Suffolk, or upon a vacancy in that office, the board of aldermen of the city of Boston shall call meetings to elect a register of deeds or to fill such vacancy, as is above provided for an election in other counties; and, upon a vacancy in that office in said county of Suffolk, the superior court shall appoint some person to the office until a person is elected thereto and qualified.

Register of deeds, Suffolk county, failure to elect, vacancy.

Upon a failure to choose a register of deeds in the county of Nantucket, or upon a vacancy in that office, the selectmen of the town of Nantucket shall call a meeting to elect a register of deeds as is above provided for an election in other counties, and may appoint some person to the office until a person is elected thereto and qualified.

Register of deeds, Nantucket county, failure to elect, vacancy.

Whenever in any county a register of deeds who has no assistant is unable, or if he has an assistant or assistants he and such assistant or assistants are unable, by reason of sick-

Whenever a register of deeds, etc., is unable to act,

county commissioners may appoint a register pro tempore.

ness or otherwise to perform the duties of their respective offices, the county commissioners for the county electing such register or, in the county of Suffolk, the superior court, may appoint a register of deeds pro tempore who shall perform the duties of register until the said elected register or his assistants or any of them is able to resume the duties of his office, or until the election and qualification of a new register.

To be sworn and give bond.

A register of deeds pro tempore shall be sworn and shall give a bond according to the requirements of law for registers of deeds, and notice of his appointment shall be recorded in the

Powers and duties.

registry of deeds in which he is to act. A register of deeds pro tempore shall have the same duties and powers as are provided for by law in the case of registers of deeds, and shall receive such compensation for his services as said county commissioners and the superior court, respectively, may deem reasonable.

County or associate commissioner, failure to elect.

Section 341. Upon a failure to choose a county commissioner or associate commissioner, the board of examiners shall forthwith issue precepts to the board of aldermen of each city and to the selectmen of each town in such county, directing them to call meetings of the voters to elect such officer on a day appointed therein. In the county of Middlesex, such precept shall also be issued to the selectmen of the towns of Revere and Winthrop.

Vacancy, election.

Upon a vacancy by removal or otherwise in the office of county commissioner or associate commissioner, the board of examiners shall in like manner issue precepts for an election to fill such vacancy at the next annual state election for which precepts can be seasonably issued, except that no such election shall be held unless the term of office of the commissioner whose office is so vacant extends beyond the first Wednesday of January next succeeding the day of such election.

Vacancy, appointment.

Upon a vacancy in said offices, the county commissioners or the two remaining county commissioners, as the case may be, and the clerk of the courts for the county, or a majority of them, may appoint some person to fill such office until a person is elected thereto and qualified.

District attorney or county officers, vacancy.

Section 342. If there is a vacancy in the office of district attorney, clerk of the courts, register of probate and insolvency, sheriff, county treasurer, register of deeds, county commissioner or associate commissioner, the term of which expires on the first Wednesday of January following the next annual state election for which precepts can be seasonably

issued, no precepts shall be issued or election held to fill such vacancy.

Secretary of the commonwealth to be notified.

Section 343. The county commissioners in each county shall forthwith notify the secretary of the commonwealth of any vacancy in the office of county treasurer or of register of deeds; and the board of examiners shall give like notice to the secretary of any vacancy in the office of county commissioner or associate commissioner, and in each case they shall send to him a copy of the precepts issued by them for an election.

Copy of precept to secretary.

Elections to fill vacancies, proceedings.

Section 344. At elections held because of a failure to elect or to fill vacancies, the proceedings shall be the same, so far as applicable, as in elections to the same office at the annual state election.

PROCEEDINGS OF PRESIDENTIAL ELECTORS.

Presidential electors, meeting, organization.

Section 345. The persons chosen as presidential electors shall meet at the state house on the Saturday preceding the second Monday in January succeeding their election at three o'clock in the afternoon and organize by the choice of a presiding officer and secretary. The secretary of the commonwealth shall call the meeting to order, call the roll of electors, and preside until a presiding officer shall be chosen.

Proceedings.

If, on the second Monday in January, the whole number of electors has not been chosen, or if any electors have died or are then absent, the electors present shall forthwith choose electors from the citizens of this commonwealth to complete the full number. They shall thereupon vote by ballot for president and vice president of the United States, one of whom at least shall not be an inhabitant of this commonwealth. They shall name in their ballots the person voted for as president, and in distinct ballots, the person voted for as vice president. They shall make distinct lists of all persons voted for as president and of all persons voted for as vice president and of the number of votes for each, and shall sign, certify and transmit such lists, sealed, to the seat of government of the United States, directed to the president of the senate; and they shall in all respects proceed conformably to the constitution and laws of the United States. The secretary of the electoral college shall keep a journal of its proceedings and deposit the same in the office of the secretary of the commonwealth, where it shall be recorded and filed.

Journal to be kept.

Compensation.

Section 346. Each elector shall receive from the commonwealth three dollars for each day of attendance, and one dollar for every five miles of travel from his residence to the place of meeting.

CORRUPT PRACTICES.

Candidate not to promise appointment, etc., to aid his nomination or election.

Section 347. No person shall, in order to aid or promote his own nomination or election to a public office, directly or indirectly, himself or through another person, promise to appoint, or promise to secure or assist in securing the appointment, nomination or election of another person to a public position or employment or to a position of honor, trust or emolument, except that he may announce or define what is his choice or purpose in relation to an election in which he may be called to take part, if elected.

Payments, etc., by candidates regulated.

Section 348. No person shall, in order to aid or promote his own nomination or election to a public office, directly or indirectly, himself or through another person, give, pay, expend or contribute, or promise to give, pay, expend or contribute, any money or other valuable thing, except for personal expenses or to a political committee as hereinafter provided. The words "personal expenses", as used in this act, shall include only expenses directly incurred and paid by a person for travelling and for purposes properly incidental to travelling; for writing, printing and preparing for transmission and distributing any letter, circular, or other publication, wherein is stated his position or views upon public or other questions; for stationery and postage; for telegraph, telephone and messenger service, expressage, and for preparing, circulating and filing nomination papers, and for the hire of not more than one conveyance to be used at each polling place at primaries only.

Term "personal expenses" defined.

Purposes for which certain persons and political committees may make expenditures, etc.

No person not a candidate for nomination or election, and no political committee, as defined in section one shall, in order to aid, promote or defeat the nomination or election of any person to public office, pay, expend or contribute, or promise to pay, expend or contribute, any money or valuable thing except in good faith for the following purposes: advertising, rent and maintenance of political headquarters, meetings, refreshments other than intoxicating liquors, decorations and music, postage, stationery, printing, expressage, travelling expenses of candidates, committees, speakers and clerks, telephone, telegraph, messenger service and clerk hire, and for preparing, circulating and filing nomination papers; but a political committee may expend

money for the hire of not more than one conveyance to be used at each polling place at elections only.

Voluntary payment to political committee.

SECTION 349. A person who is a candidate for nomination or who is nominated as a candidate or voted for with his assent for public office, may make a voluntary payment of money or a voluntary and unconditional promise of payment of money to a political committee for the promotion of the principles of the party which it represents, or for its general purposes. No candidate for nomination or election or both, shall in any one election, including the primary therefor, make or incur, directly or indirectly, any payments, expenditures, promises or liabilities under this section which exceed in the whole twenty-five dollars for each one thousand or major portion thereof of the registered voters qualified to vote for the office in question at the next preceding election, but no candidate shall expend more than five thousand dollars, and any candidate may expend at least one hundred and fifty dollars for the said purposes.

Payments, etc., by candidates limited.

Payments, etc., to be in name of person paying, etc.

SECTION 350. No person shall, directly or indirectly, himself or through another person, make a payment or promise of payment to a political committee or to any person acting under its authority or in its behalf, in any name except his own; nor shall such committee or person knowingly receive a payment or promise of payment, or enter or cause the same to be entered in the accounts or records of such committee, in any other name than that of the person by whom it is made.

Soliciting, etc., from candidate prohibited, etc.

SECTION 351. No person or persons, no political committee and no person acting under the authority of a political committee or in its behalf, shall demand, solicit, ask or invite from a person who is a candidate for nomination or election to public office, or who is occupying an elective public office, any payment or gift of money or other valuable thing, or promise of payment or gift of money or other valuable thing for advertising, gratuities, donations, tickets, programmes, or any other purpose whatsoever; and no such candidate for nomination or election, and no one who is occupying an elective public office, shall make any such payment or gift, or promise to make any such payment or gift, to any person or persons, political committee, or any person acting under the authority of a political committee, if such person or political committee has demanded, solicited, asked, or invited from him any such payment, gift, or promise of payment or gift; but this provision shall not apply to

Candidates, etc., not to make payment, etc., when solicited.

the soliciting or making in good faith of gifts for charitable or religious purposes.

Demanding, etc., payment of money, etc., as a prerequisite to obtaining nomination papers prohibited.

Section 352. No political committee, and no person acting under its authority or in its behalf, shall demand or solicit from any person who is a candidate for nomination to elective office, or from anyone acting in his behalf, a payment of money or a promise of payment of money, as a prerequisite to his obtaining from such committee or its agent the nomination papers required by the provisions of sections one hundred and sixty-three to one hundred and seventy, inclusive.

Payments, etc., by certain corporations to promote or prevent the nomination or election of a person, etc., prohibited.

Section 353. No business corporation incorporated under the laws of, or doing business in this commonwealth, and no officer or agent acting in behalf of such corporation, shall directly or indirectly give, pay, expend or contribute, or promise to give, pay, expend or contribute any money or other valuable thing in order to aid, promote or prevent the nomination or election of any person to public office, or in order to aid, promote or antagonize the interests of any political party. No person or persons, no political committee and no person acting under the authority of a political committee, or in its behalf, shall solicit or receive from such corporation any such gift, payment, expenditure or contribution, or any promise to give, pay, expend or contribute.

No person or political committee, etc., to solicit or receive such payment, etc.

Publication of unsigned political advertisements, prohibited.

Section 354. No person shall publish or cause to be published in a newspaper or other periodical, either in its advertising or reading columns, any paid matter which is designed or tends to aid, injure, or defeat any candidate for public office or a constitutional amendment or any other question submitted to the voters, unless the name of the chairman or secretary or the names of two officers of the political or other organization inserting the same, or the name of some voter who is responsible therefor, with his residence and the street and number thereof, if any, appear therein in the nature of a signature. Such matter inserted in reading columns shall be preceded or followed by the word "Advertisement" in a separate line, in type not smaller than that of the body type of the newspaper or other periodical.

Reading matter to be preceded or followed by the word "Advertisement."

Payment to publisher, etc., of newspaper, etc., for advocating or opposing election of candidates prohibited.

Section 355. No person shall pay the owner, editor, publisher, or agent of a newspaper or other periodical to induce him editorially to advocate or oppose any candidate for public office or political principle, or a constitutional amendment or any other question submitted to the voters;

and no such owner, editor, publisher, or agent shall accept such payment. This provision shall not apply to the outright purchase of such newspaper or periodical.

Certain corporations, etc., not to make political contributions.

Section 356. No corporation carrying on the business of a bank, trust, surety, indemnity, safe deposit, insurance, railroad, street railway, telegraph, telephone, gas, electric light, heat, power, canal, aqueduct, or water company, or any company having the right to take or condemn land or to exercise franchises in public ways, granted by the commonwealth or by any county, city or town, and no trustee or trustees owning or holding the majority of the stock of such a corporation, shall pay or contribute in order to aid, promote, or prevent the nomination or election of any person to public office, or in order to aid, promote or antagonize the interests of any political party, or to influence or affect the vote on any question submitted to the voters. No person shall solicit or receive such payment or contribution from such corporation or such holders of stock: *provided, however,* that this section shall not be construed to prevent the bona fide publication or circulation by such a corporation, or such trustee or trustees, of paid matter when under a referendum or question submitted to the voters, the taking, purchasing or acquiring of any of the property, business or assets of the corporation is involved, provided that the name of the corporation appears therein in the nature of a signature, and that, if inserted as reading matter, such matter is preceded or followed by the word "Advertisement", in the manner required by section three hundred and fifty-four.

Proviso.

Reading matter to be preceded or followed by the word "Advertisement."

No payments to be made for naturalization fees, etc.

Section 357. No political committee and no person who is required to file a statement shall make any payment or promise of payment of money to or in behalf of any person for naturalization fees or for services as counsel or otherwise in assisting any one to obtain naturalization.

Every political committee to have a treasurer, etc.

Section 358. Every political committee shall have a treasurer, who is a voter of the commonwealth, and shall cause him to keep detailed accounts of all money or its equivalent, received by or promised to the committee, or by or to any person acting under its authority or in its behalf, and of all expenditures, disbursements and promises of payment or disbursement made by the committee or by any person acting under its authority or in its behalf. No person acting under its authority or behalf shall receive any money or its equivalent, or expend or disburse the same, until the committee has chosen a treasurer.

Receipts or disbursements prohibited until treasurer is chosen.

Number of persons that may be employed by political committees in cities.

The number of persons that may be employed by political committees in cities for any purpose, except as caucus officers, shall not exceed six persons in each voting precinct of the city. In cities, or parts thereof, not divided into precincts, the number shall not exceed six for each ward.

Persons acting for committees to give detailed account to treasurer, etc.

SECTION 359. Whoever, acting under the authority or in behalf of a political committee, receives any money or its equivalent, or promise of the same, or expends or incurs any liability to pay the same, shall, on demand, and in any event within fourteen days after such receipt, expenditure, promise or liability, give to the treasurer a detailed account of the same, with all vouchers required by this act, which shall be a part of the accounts and files of such treasurer.

Treasurer to file statement, contents.

SECTION 360. The treasurer of every political committee which receives, expends or disburses any money or its equivalent, or incurs any liability to pay money in connection with any nomination or election to an amount exceeding twenty dollars, shall, within thirty days after such election, file a statement setting forth all the receipts, expenditures, disbursements and liabilities of the committee and of every officer and other person acting under its authority or in its behalf. It shall include the amount in each case received, the name of the person or committee from whom received, the date of its receipt, the amount of every expenditure or disbursement, the name of the person or committee to whom it was made, and the date thereof; and, unless such expenditure or disbursement was made to another political committee, shall clearly state the purpose of such expenditure or disbursement; also the date and amount of every existing promise or liability, both to and from such committee, remaining unfulfilled and in force when the statement is made, the name of the person or committee to or from whom the unfulfilled promise or liability exists, and a clear statement of the purpose for which the promise or liability was made or incurred. If the aggregate receipts or disbursements of a political committee in connection with any election shall not exceed twenty dollars, the treasurer of the committee shall, within thirty days after the election, certify the fact under oath to the secretary of the commonwealth.

Other persons subject to requirements.

SECTION 361. Whoever, acting otherwise than under the authority or in behalf of a political committee having a treasurer, receives money or its equivalent, or expends or

disburses, or promises to expend or disburse money or its equivalent, to an amount exceeding twenty dollars, to aid or promote the success or defeat of a political party or principle in any election, or to aid or influence the nomination, election or defeat of a candidate for office, shall file in the city or town in which he is a voter, the statement required by the preceding section, and shall be subject to all the duties required by this act of a political committee or the treasurer thereof; but no person except a voter of the commonwealth shall receive, expend or disburse any money or its equivalent or promise to expend or disburse any money or its equivalent, for either of the purposes above named, except for personal expenses as is herein provided, or under the authority or in behalf of a political committee.

Candidates to file statements.

Section 362. Every candidate for nomination to a public office shall, within seven days after the last day for filing nominations for that office, and every candidate for election to a public office shall within seven days after the election held to fill the office, file a statement in writing setting forth each sum of money and thing of value expended, contributed, or promised by him, for the purpose of securing or in any way affecting his nomination or election to the office, and the name of the person or political committee to whom the payment, contribution or promise was made and the date thereof.

Filing of statements, oath.

Section 363. The statement required to be filed by a candidate, treasurer or other person shall be filed with the clerk of the city or town in which such candidate, treasurer or other person is a voter. In case the nomination to which such statement relates is a nomination to a state or national office, or the election is a state or national election, a duplicate shall be filed with the secretary of the commonwealth. Whoever makes a statement required by the provisions of this act shall make oath that it is in all respects correct and true to the best of his knowledge and belief.

Statements to be inspected, etc.

Section 364. The secretary of the commonwealth shall inspect all statements filed with him, and the clerks of cities shall inspect all statements relating to nominations and to city elections filed with them, within sixty days after the election to which they relate, and if upon examination of the official ballot it appears that any person has failed to file a statement as required by law, or if it appears

Delinquent persons to be notified.

to the secretary that any such statement filed with him does not conform to law, or if it appears to a city clerk that such statement relating to a city nomination or election does not conform to law, or upon complaint in writing by five registered voters that a statement does not conform to law, or that any person has failed to file a statement required by law, the secretary or city clerk shall in writing notify the delinquent person. Such complaint shall state in detail the grounds of objection, shall be sworn to by one of the subscribers, and shall be filed with the secretary or with the proper city clerk within ninety days after the election in question, or within sixty days after the filing of a statement or amended statement.

Complaint, form, filing.

Attorney-general to be notified.

Section 365. Upon the failure to file a statement within ten days after receiving notice under the preceding section, or if any statement filed as above discloses any violation of any provision of this act relating to corrupt practices in elections, the secretary of the commonwealth or the city clerk, as the case may be, shall notify the attorney-general thereof and shall furnish him with copies of all papers relating thereto, and the attorney-general, within two months thereafter, shall examine every such case, and if he is satisfied that there is cause, he shall in the name of the commonwealth institute appropriate civil proceedings or refer the case to the proper district attorney for such action as may be appropriate in the criminal courts.

Courts may compel the filing of statements, etc.

Section 366. The supreme judicial court or the superior court may compel any person who fails to file a statement as above required, or who files a statement which does not conform to the foregoing requirements in respect to its truth, sufficiently in detail, or otherwise, to file a sufficient statement, upon the application of the attorney-general or district attorney or petition of any candidate voted for, or of any five persons qualified to vote at the election on account of which the expenditures, or any part thereof, were made or are alleged to have been made. Such petition shall be filed within sixty days after such election, if the statement was filed within the thirty days required, but a petition may be filed within thirty days of any payment not included in the statement so filed. Proceedings under this section shall be advanced upon the request of either party for speedy trial. No petition brought under this act shall be discontinued without the consent of the attorney-general.

Proceedings to be advanced upon request, etc.

Witness not liable, except, etc.

Section 367. No person who is called to testify in any proceedings under the preceding section shall be liable to criminal prosecution under this act or otherwise for any matters or causes in respect of which he shall be examined or to which his testimony shall relate, except to prosecution for perjury committed in such testimony.

Statements to be preserved, etc.

Section 368. All statements shall be preserved for fifteen months after the election to which they relate, and shall, under reasonable regulations, be open to public inspection.

Vouchers, accounts, etc., preservation.

Section 369. Every payment required to be accounted for shall, unless the total expense payable to any one person is less than five dollars, be vouched for by a receipted bill stating the particulars of expense, and every voucher, receipt or account hereby required shall be preserved for six months after the election to which it relates.

Blank forms to be furnished.

Section 370. The secretary of the commonwealth shall at the expense of the commonwealth furnish to the city and town clerks, and in Boston to the election commissioners, blanks in form approved by the secretary and by the attorney-general, suitable for the statements required by law. On the receipt of a list of candidates for public office before a caucus or primary, or upon the filing of a nomination before a municipal election, the election commissioners in Boston, and the clerk of any other city or the town clerk shall transmit to the candidate or candidates put in nomination, and to the treasurers of political committees, the blanks above described. Upon the filing of a nomination before a state or national election the secretary of the commonwealth shall transmit to the candidate or candidates put in nomination, and to the treasurers of the political committees, the blanks above described. To any person required to file a statement such blanks shall be furnished upon application therefor.

Nominations and elections to which provisions shall apply.

Section 371. The provisions of this act relative to corrupt practices shall apply to all public elections, except of town officers, and to elections by the general court and by city councils, and by either branch thereof, to the nomination by primaries, caucuses and conventions and nomination papers of candidates to be voted for at such elections. The term "political committee" as defined in section one, and sections three hundred and forty-eight and three hundred and fifty shall not apply to the proprietors and publishers of publications issued at regular intervals, in respect to the ordinary conduct of their business.

INQUESTS IN ELECTION CASES.

Inquests upon violations of election laws.

SECTION 372. Upon a complaint subscribed and sworn to by any person before a police, district or municipal court or a trial justice, alleging that reasonable grounds exist for believing that any law relating to the assessment, qualification or registration of voters, or to voting lists or ballots, or to primaries, caucuses, conventions and elections, or to any matters pertaining thereto, has been violated, such court or justice may at once hold an inquest to inquire into such alleged violation of the law.

Inquests may be private, etc.

SECTION 373. The court or trial justice may exclude all persons whose presence is not necessary at such inquest; and may also direct the witnesses to be kept so separated that they cannot converse with each other until they have been examined. The attorney-general, the district attorney, or some person designated by either, shall attend the inquest and examine the witnesses.

Examination of witnesses.

Witnesses, attendance, fees, etc.

SECTION 374. Such court, justice or attorney may issue subpœnas for witnesses, who shall be allowed the same fees, whose attendance may be enforced in the same manner, and who shall be subject to the same penalties, as if served with a subpœna in behalf of the commonwealth in a criminal prosecution before such court or trial justice.

Stenographer may be employed, etc.

SECTION 375. Such court or trial justice may employ a stenographer and may have the proceedings reduced to writing; and if he finds that the law has been violated, shall report to the superior court all the material facts and the names of any persons guilty of any such violation.

Witnesses may be bound over to appear, etc.

SECTION 376. The court or trial justice may bind over, as in criminal prosecutions, such witnesses as are necessary, or as said attorney may designate, to appear and testify in the superior court.

Certain persons may be apprehended.

SECTION 377. If a person charged by the report with the commission of an offence is not in custody, the court or trial justice shall forthwith issue a process for his apprehension; but such process may issue before the filing of said report, if otherwise lawful.

Witnesses not liable, etc.

SECTION 378. No person shall be excused from testifying or producing any papers in any inquest proceedings under this act on the ground that his testimony may tend to criminate him or subject him to a penalty or forfeiture, but he shall not be prosecuted or be subjected to a penalty

or forfeiture for or on account of any action, matter or thing concerning which he may so testify, except for perjury committed in such testimony.

OFFICERS TO BE ELECTED AT STATE ELECTIONS.

State officers to be elected annually.

Section 379. At the annual state election there shall be chosen by the voters of the commonwealth, as prescribed by the constitution, a governor, lieutenant governor, secretary of the commonwealth, treasurer and receiver general, auditor of the commonwealth, and attorney-general; by the voters in each councillor district, one councillor; by the voters in each senatorial district, one senator; and by the voters in each representative district, such number of representatives as the district is entitled to elect.

Presidential electors.

Section 380. At the annual state election in each year in which presidential electors are required to be elected, a number of electors, equal to the whole number of senators and representatives in congress to which the commonwealth is entitled, shall be chosen by the voters of the commonwealth.

Senators in Congress.

Section 381. At the annual state election in the year nineteen hundred and sixteen, and in every sixth year thereafter, and in the year nineteen hundred and eighteen and in every sixth year thereafter, a senator in congress shall be chosen by the voters of the commonwealth.

Representatives in Congress.

Section 382. At the annual state election in every even numbered year a representative in congress shall be chosen by the voters in each congressional district.

District attorneys.

Section 383. At the annual state election in the year nineteen hundred and thirteen, and in every third year thereafter, a district attorney shall be chosen by the voters in each of the districts into which the commonwealth is divided for the administration of the criminal law.

Clerks of courts.

Section 384. At the annual state election in the year nineteen hundred and sixteen, and in every fifth year thereafter, a clerk of the supreme judicial court for the county of Suffolk, and two clerks of the superior court, one for civil and one for criminal business, shall be chosen by the voters in said county; and, by the voters in each of the other counties, a clerk of the courts who shall act as clerk of the supreme judicial court, of the superior court and of the county commissioners.

Registers of probate and insolvency.

Section 385. At the annual state election in the year nineteen hundred and thirteen, and in every fifth year thereafter, a register of probate and insolvency shall be chosen by the voters of each county.

Registers of deeds.

Section 386. At the annual state election in the year nineteen hundred and sixteen, and in every fifth year thereafter, a register of deeds shall be chosen by the voters of each district for the registry of deeds, and of each county not divided into districts.

County commissioners.

Section 387. At the annual state election there shall be chosen by the voters of the county of Middlesex and of the towns of Revere and Winthrop, one county commissioner for said county and towns, and by the voters of each of the other counties, except the counties of Suffolk and Nantucket, one county commissioner for the county.

Associate commissioners.

At the annual state election in the year nineteen hundred and thirteen, and in every third year thereafter, there shall likewise be chosen by the voters of the county of Middlesex and of the towns of Revere and Winthrop, two associate commissioners for said county and towns, and by the voters of each of the other counties, except the counties of Suffolk and Nantucket, two associate commissioners for the county.

Not more than one commissioner from same city or town.

Not more than one of the county commissioners and associate commissioners shall be chosen from the same city or town. If two persons residing in the same city or town shall appear to have been chosen to said offices, the person only who receives the larger number of votes shall be declared elected; but if they shall receive an equal number of votes, no person shall be declared elected. If a person residing in a city or town in which a county commissioner or an associate commissioner who is to remain in office also resides, shall appear to have been chosen, he shall not be declared elected. If the person is not declared elected by reason of the above provisions, the person receiving the next highest number of votes for the office, and who resides in another city or town, shall be declared elected.

Sheriffs.

Section 388. At the annual state election in the year nineteen hundred and fifteen, and in every fifth year thereafter, a sheriff shall be chosen by the voters in each county.

County treasurers.

Section 389. At the annual state election in the year nineteen hundred and fifteen, and in every third year thereafter, a county treasurer shall be chosen by the voters in each county, except the counties of Suffolk and Nantucket.

Section 390. At the annual state election in the year nineteen hundred and fifteen, and in every tenth year thereafter, nine commissioners shall be elected for the county of Suffolk, for the performance of the duties hereinafter specified. Five of said commissioners shall be residents of and voters in the city of Boston and shall be elected by the voters of that city; two shall be residents of and voters in the city of Chelsea and shall be elected by the voters of that city; one shall be a resident of and a voter in the town of Winthrop and shall be elected by the voters of that town; and one shall be a resident of and a voter in the town of Revere and shall be elected by the voters of that town. Said commissioners shall hold office for one year from the first Wednesday of January next after their election. At their first meeting, they shall organize by choosing a chairman, who shall be one of their number, and a clerk. The city of Boston shall provide them with a suitable office and room for hearings and shall allow and pay to them for compensation a sum not exceeding five hundred dollars each, said sum to be determined by the governor and council, and a further sum of not more than seven hundred dollars for clerk hire, stationery and incidental expenses.

Commissioners to apportion Suffolk county into representative districts.

Term of office, organization.

City of Boston to provide office, etc.

Compensation, clerk hire, etc.

The said commissioners shall, on the first Tuesday of August next after the secretary of the commonwealth shall have certified to them the number of representatives to which the county of Suffolk may be entitled, as determined by the general court, assemble in the city of Boston, and, as soon as may be, shall so divide said county into representative districts of contiguous territory as to apportion the representation of said county, as nearly as may be, according to the number of voters in the several districts. Such districts shall be so formed that no ward of a city and no town shall be divided, and no district shall be so formed that it shall be entitled to elect more than three representatives. The districts shall be numbered by the commissioners, and a description of each district, its number and the number of voters therein shall be transmitted to the secretary of the commonwealth, to the board of election commissioners of the city of Boston, to the treasurer of the city of Boston, to the city clerk of the city of Boston, to the city clerk of the city of Chelsea, to the clerk of the town of Revere and to the clerk of the town of Winthrop and shall be filed and kept in their respective offices.

Duties.

Terms of office of certain officers.

Section 391. District attorneys, county commissioners, associate commissioners and county treasurers shall hold their several offices for terms of three years, and sheriffs, registers of deeds, clerks of the courts and registers of probate and insolvency for terms of five years, beginning with the first Wednesday of January in the year succeeding their respective elections and until their successors are chosen and qualified.

To be residents, etc.

Section 392. District attorneys, registers of deeds and county treasurers shall be residents of the counties or districts for which they are chosen.

Part V.

provisions applying to town meetings.

Town meetings, time of holding, adjournments.

Section 393. The annual meeting of each town shall be held in February, March or April; and other meetings may be held at such times as the selectmen may order. Meetings may be adjourned from time to time, and to any place within the town.

Warrants, notification.

Section 394. Every town meeting, except as hereinafter provided, shall be called in pursuance of a warrant, under the hands of the selectmen, directed to the constables or to some other persons, who shall forthwith give notice of such meeting in the manner prescribed by the by-laws or, if there are no by-laws, by a vote of the town.

Contents.

The warrant shall state the time and place of the meeting and the subjects to be there acted upon, and the selectmen shall insert in the warrant all subjects the insertion of which shall, in writing, be requested of them by any ten or more voters of the town.

Certain actions not valid.

No action shall be valid unless the subject-matter thereof is contained in the warrant.

Warrants may include two or more meetings.

Two or more distinct town meetings for distinct purposes may be called by the same warrant.

Warrants in case of vacancy in board of selectmen.

Section 395. If a majority of the selectmen shall vacate their offices, or if the full number shall fail to be elected or qualified, the selectmen in office may call a town meeting.

Justice of the peace may issue warrants in certain cases.

Section 396. If the selectmen unreasonably refuse to call a town meeting, a justice of the peace, upon the application of ten or more voters of the town, may call a meeting by a warrant under his hand, stating the subjects to be acted upon, directed to the constables of the town if there are any; otherwise to any of the persons applying therefor, directing them to summon the inhabitants qualified to vote in town

affairs, to assemble at the time and place, and for the purposes expressed in the warrant.

Moderator, election.

Section 397. At every town meeting, except for the election of state officers, when moderators are not elected for the term of one year, a moderator shall first be chosen.

May be elected for the term of one year.

Any town which has so voted or hereafter votes may at any annual election of town officers elect from the inhabitants thereof by ballot, a moderator to preside at all town meetings except those for the election of state officers. His term of office shall begin as soon as he is qualified, and shall continue until the next annual town meeting and until his successor is elected and qualified. Any town which has elected a moderator for the term of one year shall thereafter elect a moderator at every annual election of town officers, unless at a meeting duly called for the purpose the town votes to discontinue the electing of moderators for said term.

Vacancy.

If a vacancy in the said office occurs during any term it may be filled by the voters of the town at a meeting called for that purpose. If a moderator so elected is absent, a moderator pro tempore may be elected.

Election of moderator for one year in certain towns, proceedings.

In towns where official ballots are used, the vote to elect moderators for the term of one year shall be taken at a meeting held at least thirty days before the annual town meeting at which the vote is to become operative, and at the first annual meeting after the town has so voted a moderator shall be chosen as provided in section four hundred and ten to serve at that meeting, and the moderator elected on the official ballot at that meeting shall act at subsequent town meetings, except those for the election of state officers, until his successor is elected and qualified.

Who shall preside until a moderator is elected.

At every town meeting until a moderator or moderator pro tempore is elected, the town clerk shall preside, but if he is absent or if there is no town clerk, the chairman of the selectmen or the member longest in continuous service shall preside, but if no selectman is present, the justice of the peace calling such meeting, if the meeting is so called, shall preside. Such presiding officer shall have the powers and perform the duties of a moderator.

Powers and duties of moderators.

Section 398. The moderator shall preside and regulate the proceedings, decide all questions of order, and make public declaration of all votes, and may administer in open meeting the oath of office to any town officer chosen thereat. If a vote so declared is immediately questioned by seven

or more of the voters, he shall verify it by polling the voters or by dividing the meeting unless the town has by a previous order or by its by-laws provided another method.

Town may pass by-laws for regulation of proceedings at town meetings.

A town may at any town meeting called for the purpose pass by-laws, subject to the provisions of this section, for the regulation of the proceedings at town meetings of the town. Such by-laws shall be approved and published in the manner prescribed by section one of chapter three hundred and forty-four of the acts of the year nineteen hundred and four.

Speaking in town meeting regulated.

Section 399. No person shall address a town meeting without leave of the moderator, and all persons shall at the request of the moderator be silent. If a person, after warning from the moderator, persists in disorderly behavior, the moderator may order him to withdraw from the meeting; and if he does not withdraw, may order a constable or any other person to remove him and confine him in some convenient place until the meeting is adjourned.

Election of Town Officers.

Annual town meeting, officers to be elected.

Section 400. Every town at its annual meeting shall in every year, except as is otherwise provided in the following sections, choose from the inhabitants thereof the following named town officers, who, except as otherwise provided in the following sections, shall serve during the year:

A town clerk;

Three, five, seven or nine selectmen;

Three or more assessors; and, if the town so votes, three or more assistant assessors;

Three or more overseers of the poor;

A town treasurer, whom the town may at any meeting appoint collector of taxes;

One or more collectors of taxes, if the town so votes;

One or more auditors, who shall hold no other town office;

One or more highway surveyors, if the town so votes;

A road commissioner, if the town has provided for such officer;

A sewer commissioner, if the town has provided for such officer;

One or more constables, who shall also be collectors of taxes, unless other persons are specially chosen or appointed as such;

Two or more field drivers;

Two or more fence viewers; and such other town officers as are required by law then to be chosen;

A tree warden.

School committee.

The town shall likewise at its annual meeting choose from the inhabitants thereof members of the school committee, which committee shall consist of any number of persons divisible by three which the town has decided to elect, one third thereof to be elected annually, for the term of three years. If a town fails or neglects to choose such committee, an election at a subsequent meeting shall be valid. Where official ballots are used the number to be so elected shall be determined at a meeting held at least thirty days before the annual town meeting. A town may, at an annual meeting, if official ballots are not used, otherwise at a meeting held at least thirty days before the annual meeting at which such change is to become operative, vote to increase or diminish the number of its school committee. Such increase shall be made by adding one or more to each class, to hold office according to the tenure of the class to which they are severally chosen. Such diminution shall be made by choosing, annually, such number as will in three years effect it, and a vote to diminish shall remain in force until the diminution under it is accomplished.

Women eligible for certain offices.

Women shall be eligible as overseers of the poor and school committee.

Town clerk may be chosen for term of three years, etc.

Section 401. In towns which vote to accept the provisions of this section or have voted to accept the corresponding provisions of earlier laws, the town clerk may, until such acceptance is revoked at a subsequent meeting, be chosen for a term of three years; and such clerk may also serve as clerk of such officers, boards and departments of the town as the town may determine by a vote taken at said meeting or at a subsequent meeting.

Certain towns to elect a highway surveyor.

Section 402. In towns which vote to accept the provisions of this section or have voted to accept the corresponding provisions of earlier laws, there shall be elected at the annual town meeting in each year, until such acceptance is revoked by the town, a highway surveyor, who shall hold his office for one year. Upon the election of such surveyor, the office of road commissioner shall terminate.

Term of office of highway surveyor may be three years.

Section 403. A town which has voted to accept the provisions of the preceding section, or has voted to accept the corresponding provisions of earlier laws, may vote that the term of office of the highway surveyor shall be three years.

When to take effect.

SECTION 404. In towns where official ballots are not used, the question of the acceptance or revocation of the acceptance of any of the three preceding sections shall be voted upon only at an annual town meeting, and such vote shall take effect forthwith. In other towns, the question of acceptance or revocation shall be voted upon at a meeting held at least thirty days before the annual meeting at which such vote is to become operative.

Board of health, election, terms, etc.

SECTION 405. A town may elect a board of health consisting of three persons, who shall serve for terms of one, two and three years respectively, beginning with the day following the meeting at which they are elected, or until their respective successors are chosen and qualified; and thereafter such town shall, at its annual town meeting, choose one member of such board who shall hold office for three years from the day following such meeting and until another is chosen and qualified in his stead. If no such board is chosen, the selectmen shall act as a board of health.

If not elected, selectmen to act.

One member to be a physician in certain towns.

In every town having more than five thousand inhabitants as determined by the latest national or state census at least one member of the board, unless composed of the selectmen, shall be a physician.

When vote shall be taken in towns using official ballots.

Where official ballots are used the question of electing a board of health shall be voted upon at a meeting held at least thirty days before the annual meeting at which such vote is to become operative.

Selectmen and overseers of the poor, election in certain towns.

SECTION 406. A town may, at an annual meeting, if official ballots are not used, otherwise at a meeting held at least thirty days before the annual meeting at which such change is to become operative, vote to elect its selectmen, or overseers of the poor in the following manner: —

If the number fixed by the town is three, it shall, at the annual meeting when such vote is passed or at the next annual meeting, elect one for the term of one year, one for the term of two years and one for the term of three years; if the number is five, it shall elect one for the term of one year, two for terms of two years and two for terms of three years; if the number is seven, it shall elect two for terms of one year, two for terms of two years and three for terms of three years; if the number is nine, it shall elect three for terms of one year, three for terms of two years and three for terms of three years; and at each annual meeting thereafter, it shall elect one, two or three for the term of three years as the term of office of one, two or three expires.

In towns voting to increase or diminish the number of selectmen or overseers of the poor.

Section 407. A town which votes to increase or diminish the number of its selectmen or overseers of the poor, may at the same meeting if an annual meeting, otherwise at the annual meeting next succeeding the meeting at which the vote was passed, elect one or more such additional officers, or omit to elect one or more such officers, so as to bring the number to the limit fixed by the vote of the town, with terms of office expiring in the manner provided in the preceding section; but one selectman and overseer of the poor shall be elected annually. A town which has voted to elect said officers as provided in the preceding section, may at an annual meeting if official ballots are not used, otherwise at a meeting held at least thirty days before the annual meeting, rescind such action; but such rescission shall not affect the term of office of any such officer.

May rescind action.

Assessors, except in Boston, election, terms of office, etc.

Section 408. Each assessor in every city and town of the commonwealth, except in the city of Boston, shall be elected or appointed to hold office for the term of three years and until his successor is duly elected or appointed.

There shall be three, five, seven or nine assessors in each city and town, and as nearly one third as may be of the number shall be elected or appointed annually. A town by vote of a town meeting may change the number of assessors within the limits herein established, but such vote shall not affect the term of office of any assessor serving at the time of its adoption.

Town may vote to elect three road and three sewer commissioners.

Section 409. A town may at an annual meeting if official ballots are not used, otherwise at a meeting held at least thirty days before the annual meeting, vote to elect three road commissioners and three sewer commissioners in the following manner: —

Election, terms of office.

It shall, at the annual meeting when such vote is passed or at the annual meeting next succeeding the meeting at which the vote was passed, elect one for the term of one year, one for the term of two years and one for the term of three years; and at each annual meeting thereafter it shall elect one for the term of three years. A town which has voted to elect said officers as herein provided, may in like manner rescind such action; and thereupon, if at an annual meeting, the offices of road commissioners or sewer commissioners shall be abolished. If such vote is taken at a meeting held at least thirty days before the annual meeting such abolition shall take effect at the next annual meeting.

May rescind action, etc.

Moderator, election in certain cases, ballots.

SECTION 410. The election of a moderator at a meeting for the choice of town officers shall be by ballot and the voting list shall be used thereat. When moderators are not elected for the term of one year, if the number of voters registered for the annual town meeting shall exceed five hundred, no person shall print or distribute for use at the election of moderator at such meeting any ballots unless they shall be of plain white paper, in weight not less than that of ordinary printing paper, not less than five and one half nor more than six inches in length, and not less than three and one half nor more than four inches in width; shall have no printing, engraving, device or mark upon the back thereof, and, if printed, shall be printed in black ink with the name of the candidate in a line parallel with the length of the ballot, and in capital letters not less than one eighth of an inch nor more than one quarter of an inch in height. Ballots for moderator, although not in conformity with the above requirements, shall be received and counted.

Certain ballots to be counted.

Town officers, manner of election.

SECTION 411. The election of town clerk, selectmen, assessors, overseers of the poor, town treasurer, auditor, collector of taxes, constables, road commissioners, sewer commissioners, board of health and school committee shall be by ballot; and the election of all other town officers shall be in such manner as the town may determine, unless otherwise provided by law. A town which chooses its overseers of the poor for one year, may, instead of electing such officers, provide by vote that the selectmen shall act also as overseers of the poor, or both. Such vote shall, in any town using official ballots, be passed at a meeting held at least thirty days before the annual meeting at which such selectmen are to be chosen.

Selectmen may act as overseers of the poor in certain towns.

When voting list is to be used.

SECTION 412. The voting list shall be used and the name of every person voting shall be checked thereon in the election of all town officers whose election is by law required to be by ballot, and in voting upon the question of granting licenses for the sale of intoxicating liquors; but in the election of other town officers the meeting shall determine whether the voting list shall be used.

Ballots to be sealed up, indorsed, etc.

SECTION 413. If the town clerk, selectmen, assessors, treasurer, collector of taxes and school committee are voted for on one ballot, the moderator shall cause all such ballots when canvassed and counted, and record thereof has been made, publicly to be enclosed in envelopes, which shall be

sealed and indorsed, and certified in the manner required by section three hundred and four.

Town clerk, oath, etc.

Section 414. A person who is elected town clerk, if present at the meeting, shall forthwith be sworn, either by the moderator or by a justice of the peace, and shall at once enter upon the performance of his duties.

Town officers, term of office, etc.

Every town officer designated by name in section four hundred, unless other provision is specifically made by law, shall enter upon the performance of his duties on the day after his election or as soon thereafter as he is qualified, and shall hold office during the term fixed by law, which shall begin on the day after the annual meeting, and until another person is chosen and qualified in his stead.

Town officers, oath of office.

Section 415. Town officers designated by name in section four hundred shall, before entering upon their official duties, be sworn to the faithful performance thereof. Such oath may be administered by the moderator in open town meeting, or by the town clerk.

Town clerk to notify certain officers.

The town clerk shall forthwith, after the election or appointment of town officers required to take an oath of office, make a list of the names of all such officers not sworn by him or by the moderator, and deliver it with his warrant to a constable requiring him within three days to summon each such person to appear and take the oath of office within seven days after the service of such summons upon him; and the constable shall within said seven days make return thereof to the town clerk.

To appear and take oath within seven days, etc.

Persons so summoned, unless exempt by law from holding the office, shall within said seven days, take the oath of office before the town clerk or before a justice of the peace, and file a certificate thereof with the town clerk.

Exemption from liability to hold town office.

Section 416. No person shall be required to serve two terms successively in the same town office; and no person shall be required to accept the office of constable who holds a commission as an officer of the United States or of the commonwealth, who is a member of the council, of the general court, a minister of the gospel, an engineman, a member of the fire department, or who has been a constable or collector of taxes in the town within the preceding seven years. No person shall be required to serve in the office of highway surveyor oftener than once in three years.

Depositing of certain ballots.

Section 417. At any meeting for the choice of town officers in a town not using official ballots, no ballots shall be received by the moderator unless presented for deposit

in the ballot box, open and unfolded, by the voter in person, and so that the moderator can know that only one ballot is presented. No moderator or other election officer shall, before the polls are closed, read or examine, or permit to be read or examined, the names contained upon any ballot.

Ballots not to be read or examined before polls are closed.

Moderator to receive votes of registered voters.

Section 418. The moderator shall receive the votes of any person whose name is on the voting list, or who presents a proper certificate from the registrars of voters.

Ballots for voting on question of granting liquor licenses.

Section 419. The secretary of the commonwealth shall at least seven days before the annual meeting send to the town clerk of each town not using official ballots, ballots upon the question of granting licenses for the sale of intoxicating liquors therein, which shall contain the words: "Shall licenses be granted for the sale of intoxicating liquors in this town?" "Yes." or "No.", and no other words. Ballots of each kind shall be provided in number equal at least to the number of registered voters in such town. They shall be distributed to the voters at the polling place under the direction of the town clerk.

Distribution.

Ballots for women voting for school committee.

Section 420. No ballot shall be received from any woman who votes for school committee in a town which does not use official ballots unless it has the words "For School Committee only", on the back thereof. Such ballots shall be counted only in the choice of members of the school committee, and for no other office or purpose.

Towns may establish precinct voting for town officers and on question of granting liquor licenses.

Section 421. Towns divided into voting precincts may, for their annual town election, establish precinct voting for all town officers to be chosen thereat and for voting on the question of granting licenses for the sale of intoxicating liquors, by accepting the provisions of this section at a meeting called for the purpose and held fourteen days at least before the annual town meeting. The acceptance of the said provisions may be revoked by the town at a meeting called for the purpose and held thirty days at least before the annual town meeting; and if so revoked, the said provisions shall cease to be in force therein. In towns so voting, or which have accepted the corresponding provisions of earlier laws, all matters to be considered at the annual town meeting, other than the election of town officers and the question of granting licenses for the sale of intoxicating liquors, shall be in order only at a town meeting held within thirty days after the date of the annual election, and not later than the thirtieth day of April. The time and place of holding such subsequent meeting shall be stated in the

Acceptance may be revoked.

Other matters to be acted upon at a subsequent meeting.

Time and place of holding subsequent meeting, etc.

warrant for the annual election, and said election, subsequent meeting and its adjournments shall be regarded as parts of the annual town meeting. The election of a moderator, except in towns where moderators are elected for the term of one year, shall be the first business in order at said subsequent meeting. Towns are not hereby authorized to vote by precincts at special elections of town officers.

Not to vote by precincts at special elections of town officers.

Section 422. The town clerk and the board of registrars, upon receipt of the returns from the several precincts, shall forthwith canvass the same and immediately declare the result and notify the persons chosen as town officers as provided in section four hundred and fifteen.

Canvass of returns, etc.

PROCEEDINGS IN CASES OF FAILURE TO ELECT, AND VACANCIES IN TOWN OFFICES.

Section 423. If there is a failure at an election to choose a town officer, or if a person chosen shall not accept such office, or if a vacancy shall occur, the town may, at any legal meeting, except as provided in section four hundred and twenty-six, elect a person to such office.

Vacancies in town offices, how filled.

If, at an election of town officers for which official ballots are used, there is a failure to elect a town officer, he may be elected at an adjourned or succeeding meeting; and ballots shall be prepared and furnished for such meeting, containing the nominations already made and such as may subsequently be made for the office.

When official ballots are used.

Section 424. If, at a town meeting, there is a vacancy in the office of town clerk, or if he is absent, the meeting shall elect by ballot a clerk pro tempore. The selectmen shall receive and count the votes and declare the election of such clerk. If, in case of a vacancy, other duties than those required of a town clerk at a town meeting are to be performed, or if he is unable to perform such duties, the selectmen may in writing under their hands appoint a clerk for the performance thereof, who shall be sworn and shall, in the performance of such duties, have the same powers and be subject to the same requirements and penalties as the town clerk, and he shall immediately make a record of his election or appointment.

Town clerk pro tempore, election.

Clerk to be appointed in certain cases, etc.

Section 425. A person chosen constable at a town meeting shall, if present, forthwith declare his acceptance or refusal of his office. If he does not accept the office, the town shall, if official ballots are not used, elect another person

Constables, election, etc.

to the office, and continue so to elect until some person accepts the office and is sworn.

Assessors may be appointed in certain cases, etc.

Section 426. If the assessors of a town, or the selectmen acting as such, shall in any year fail to perform their duties, the county commissioners may appoint three or more inhabitants of the county to be assessors for such town, who shall be sworn, shall hold office until the offices of assessors are filled by the town, and shall receive from the town the compensation of assessors.

Treasurer or collector, appointment.

Section 427. If the office of treasurer or collector of taxes is vacant, or if the treasurer or collector is unable to perform his duties, the selectmen may in writing appoint a treasurer or collector pro tempore, who shall be sworn, give bond in like manner as the treasurer or collector chosen by the town, and hold such office until another is chosen by the town and qualified or the disability is removed. If a treasurer or collector does not, within ten days after his election or appointment, give bond, the selectmen may declare the office vacant and appoint another in his place.

To give bond, etc.

Auditor, appointment.

Section 428. If the office of an auditor in a town is vacant the remaining auditors, if any, may perform the duties thereof and may appoint a person to aid them. If there is no remaining auditor, the selectmen shall appoint an auditor to serve until another is chosen and qualified.

Certain officers, appointment, election, etc.

Section 429. If there is a failure to elect, or if a vacancy occurs in any town office, other than the offices of selectmen, town clerk, assessor, treasurer, collector of taxes or auditor, the selectmen shall in writing appoint a person to fill such vacancy. If there is a vacancy in a board consisting of two or more members, the remaining members shall give notice thereof in writing to the selectmen, who, with the remaining member or members of such board shall, after one week's notice fill such vacancy by ballot. A majority of the ballots of the officers entitled to vote shall be necessary to such election. The person so appointed or elected shall perform the duties of the office until the next annual meeting or until another is chosen and qualified.

Vacancies, removal from town.

Section 430. If a person removes from a town, he shall thereby vacate any town office held by him.

Proceedings at special elections.

Section 431. The proceedings in an election held by reason of a previous failure to elect, or to fill a vacancy, and the qualifications of a person to be elected or appointed, shall be the same as in an original election.

TOWN ELECTIONS AT WHICH OFFICIAL BALLOTS ARE USED.

Town may vote to use official ballots, etc.

Section 432. A town may, at a meeting called for the purpose, vote that official ballots shall thereafter be used therein; and may, at the annual town meeting or at a meeting so called and held at least thirty days before the annual town meeting, by a two thirds vote rescind such action. In town elections at which official ballots are used, nominations for town officers elected by ballot shall be made, ballots and other apparatus therefor provided, and elections of such officers conducted, in accordance with the provisions of this act so far as applicable.

Nominations, elections, etc.

Number and terms of office.

Section 433. If a town votes that official ballots shall be used for the election of town officers, it shall at the same meeting determine what officers in addition to those required to be so elected shall thereafter be so chosen, and determine the number and terms of office, if not already fixed. No change shall thereafter be made in the officers to be chosen by ballot or in the number or terms of office thereof, except at a meeting held at least thirty days before the annual meeting at which such change is to become operative.

Change in officers to be chosen by ballot, etc.

PART VI.

PENALTIES UPON OFFICERS.

Penalties on assessor and assistant assessor.

Section 434. An assessor or assistant assessor who knowingly enters on any list of assessed polls, or causes or allows to be entered thereon, the name of any person as a resident of a building, who is not a resident thereof, shall for each offence be punished by imprisonment for not more than six months.

On registrar or assistant registrar.

Section 435. A registrar or assistant registrar who refuses or wilfully neglects to require, under section forty-seven, an applicant for registration to read the five lines from the constitution of the commonwealth in such manner as to show that he is neither prompted nor reciting from memory, or to write his name in the register, unless he is prevented by physical disability from so doing, or unless he had the right to vote on the first day of May in the year eighteen hundred and fifty-seven, or distinctly to announce the name of an applicant for registration before entering his name upon the register, or who knowingly prevents or seeks to prevent the registration of any legal voter, or who knowingly registers the name of any person not qualified

to vote, or who is guilty of any fraud or corrupt conduct in the execution of the duties of his office, shall be punished by imprisonment for not more than six months.

On member of listing board or police officer in Boston.

Section 436. A member of the listing board or a police officer in Boston who knowingly enters on any list of male persons or women voters, or causes, or allows to be entered thereon, the name of any person as a resident of a building, who is not a resident thereof, shall for each offence be punished by imprisonment for not more than one year.

Same subject, etc.

Section 437. A member of the listing board or a police officer in Boston upon whom a duty is imposed by this act, who refuses or wilfully neglects or wilfully fails to perform such duty, or who wilfully performs it contrary to law, shall for each offence, if no other penalty is specifically imposed therefor, be punished by imprisonment for not more than one year.

On officer of a primary, caucus or convention.

Section 438. An officer of a primary, caucus or convention who knowingly makes any false count of ballots or votes, or makes a false statement or declaration of the result of a ballot or vote, or knowingly refuses to receive any ballot offered by a person qualified to vote at such primary, caucus or convention, or wilfully alters, defaces or destroys any ballots cast, or voting lists used thereat, before the requirements of this act have been complied with, or declines or wilfully fails to receive any written request made as therein required, or declines or wilfully fails to perform any duty or obligation imposed thereby shall be punished by imprisonment for not more than three months.

On caucus officer who neglects to comply with requirements of section 155.

Any such presiding officer, secretary or clerk of a caucus who wilfully neglects or refuses to comply with the requirements of section one hundred and fifty-five shall be punished by a fine of not more than fifty dollars for each offence.

On caucus officer violating provisions of section 146.

Section 439. A caucus officer who violates any of the provisions of section one hundred and forty-six shall be punished by imprisonment for not more than one year.

On supervisor violating provisions of section 240.

Section 440. A supervisor appointed under section two hundred and forty, violating any provision thereof, shall be punished by imprisonment for not more than one year.

On election officer.

Section 441. An election officer who, before the public declaration of the vote at an election, makes any statement of the number of ballots cast, of the number of votes given for any person, of the name of any person who has voted, of the name of any person which has not been voted on, or of any other fact tending to show the state of the polls,

shall be punished by imprisonment for not more than thirty days.

On presiding officer.

Section 442. A presiding officer at a caucus, primary or state or city election, or at an election in a town at which official ballots are used, who, when the right of a person offering to vote is challenged for any legal cause, wilfully or negligently fails to require the name and residence of such person to be written upon the ballot offered by him, and to add thereto the name of the person challenging and the assigned cause, before such ballot is received, shall be punished by imprisonment for not more than one year.

On officer recounting ballots.

Section 443. A primary, election or other officer whose duty it is to recount the ballots cast at a primary or election, who makes any statement or gives any information in regard to a ballot cast by a voter challenged at such primary or election, except as required by law, shall be punished by imprisonment for not more than one year.

On presiding officer at town election.

Section 444. A presiding officer who, at a town election at which official ballots are not used, before the polls are closed and without the consent of a voter, reads or examines or permits to be read or examined, the names written or printed on the ballot of such voter, in order to ascertain the persons voted for by him, shall be punished by imprisonment for not more than thirty days.

On primary or election officer.

Section 445. A primary or election officer who wilfully or negligently violates any provision relating to the enclosing in envelopes, sealing, indorsing and delivering or transmitting of ballots and voting lists, after the votes have been counted and recorded, shall be punished by imprisonment for not more than one year.

On city or town clerk or election commissioner.

Section 446. A city or town clerk or an election commissioner who examines or permits to be examined, except as required by law, ballots cast at an election which are received and retained by him under section three hundred and six, shall be punished by a fine of not more than two hundred dollars.

On city or town clerk or election commissioner.

Section 447. A city or town clerk or an election commissioner who fails to make a record of votes cast at an election and to make and transmit copies of any such record, as required by this act, shall be punished by a fine of not more than two hundred dollars; but if a copy of the records is deposited in the post office within the time fixed for transmission or delivery, postpaid and properly addressed, it shall be a bar to any complaint for delinquency.

On city or town clerk, precinct clerk or election commissioner.

Section 448. A city or town clerk, precinct clerk or election commissioner who wilfully signs a certificate not in accordance with the result of an election as appearing by the records and copies of records of votes cast, or by a recount of votes, shall be punished by imprisonment for not more than one year.

On selectman.

Section 449. A selectman who wilfully gives a certificate of election to a person voted for as representative in the general court, which is not in accordance with the declaration of the vote in open town meeting at the time of the election, or not in accordance with a recount of votes, shall be punished by imprisonment for not more than one year.

On a public officer, primary, caucus or election officer, officer or member of a political committee or convention, etc.

Section 450. A public officer, primary, caucus or election officer, or officer or member of a political committee or convention, upon whom a duty is imposed by law, who refuses or wilfully neglects or wilfully fails to perform such duty, or who wilfully performs it contrary to law, shall for each offence, if no other penalty is herein specifically imposed therefor, be punished by a fine of not less than five nor more than one thousand dollars, or by imprisonment for not more than one year, or by both such fine and imprisonment.

On a primary or election officer in Boston.

A primary or election officer in the city of Boston who knowingly permits or aids in the violation of any provisions of law relating to registration, primaries or elections, shall be punished by imprisonment in the state prison for not more than three years or in the house of correction for not less than six months.

PENALTIES UPON VOTERS.

For illegally voting or attempting to vote, placing distinguishing mark on ballot, etc.

Section 451. Whoever at a primary or caucus votes or attempts to vote, knowing that he is not entitled so to do, or votes or attempts to vote upon any name other than his own, or more than once on his own name, or casts or attempts to cast more than one ballot, or places any distinguishing mark upon a ballot, or makes a false statement as to his ability to mark his ballot, or unlawfully allows the marking of his ballot to be seen by any person, or gives a false answer to, or makes a false oath before, a presiding officer, shall be punished by imprisonment for not more than six months.

For making false statement, unlawfully allowing marking of ballot to be seen, making false answer or oath.

For violating provisions of section 146.

Section 452. A voter who violates any of the provisions of section one hundred and forty-six shall be punished by imprisonment for not more than one year.

Section 453. A voter who, at a primary or election, places any distinguishing mark upon his ballot shall be punished by imprisonment for not more than six months. For placing distinguishing mark upon ballot.

Section 454. A voter who makes a false statement as to his inability to mark a ballot, or who, except for the purpose of obtaining assistance under section two hundred and ninety-four, allows his ballot to be seen by any person with an intention of indicating how he is about to vote shall be punished by a fine of not more than one hundred dollars. For making false statement, or unlawfully allowing ballot to be seen.

Section 455. Whoever at a primary or election, knowing that he is not a qualified voter in the place where he votes or attempts to vote, wilfully votes or attempts to vote thereat; whoever at a primary or election votes or attempts to vote more than once on his own name, his name having been registered more than once; whoever at a primary or election votes or attempts to vote in more than one voting precinct or town, his name having been registered in more than one voting precinct or town; whoever at a primary or election votes or attempts to vote on any name other than his own, or knowingly casts or attempts to cast more than one ballot at one time of balloting; whoever at a primary or election votes or attempts to vote otherwise illegally; or whoever aids or abets any other person in doing any of the acts above mentioned, shall be punished by imprisonment for not more than one year. For illegally voting or attempting to vote, etc. For aiding or abetting.

Section 456. Whoever at a primary or election wilfully gives a false answer to a presiding officer shall be punished by a fine of not more than one hundred dollars. For giving false answer.

GENERAL PENALTIES.

Section 457. Whoever, being an inmate of a building and liable to be assessed for a poll tax, refuses or neglects to give his true name when asked by an assessor or assistant assessor, or whoever, being an owner or occupant of a building, refuses or neglects to give the full and true information within his knowledge relating to all persons residing in such building, when asked by an assessor or assistant assessor, shall be punished by imprisonment for not more than three months. For refusing to give true name or information.

Section 458. Whoever in Boston, being an inmate of a building and a male resident twenty years of age or upward, refuses or neglects to give his true name, when asked by a member of the listing board or a police officer For refusing to give true name or information in Boston.

acting under this act, or whoever, being an owner or occupant of a building, or a clerk, superintendent, manager or other person having in charge the affairs of a hotel or lodging house, refuses or neglects to give the full and true information within his knowledge relating to all persons residing in such building, when asked by a member of the listing board or a police officer acting under this act, shall be punished by imprisonment for not more than three months.

For giving name of non-resident.

Section 459. Whoever knowingly gives to an assessor or assistant assessor, for the purpose of the assessment of a poll tax, or in Boston to a member of the listing board or a police officer, for the purpose of making a list of male residents twenty years of age or upwards or women voters, the name of any person as a resident of a building, who is not a resident therein, shall be punished by imprisonment for not more than one year.

For false affidavit, oath or certificate.

Section 460. Whoever knowingly or wilfully makes a false affidavit, takes a false oath or signs a false certificate relative to the qualifications of any person for assessment or registration, or in Boston for being listed or given a certificate by the listing board, shall be punished by imprisonment for not more than one year.

For aiding or abetting, in Boston.

Section 461. Whoever in Boston aids or abets a person in knowingly or wilfully making a false affidavit, taking a false oath or signing a false certificate, relative to the qualifications of any person for being listed as a resident thereof or given a certificate of such residence by the listing board, shall be punished by imprisonment for not more than one year.

For illegally registering, false representation, answer, etc.

Section 462. Whoever causes or attempts to cause his name to be registered, knowing that he is not a qualified voter in the place of such registration or attempted registration; whoever registers or attempts to register under a name other than his own; whoever represents or attempts to represent himself as some other person to any election commissioner, registrar or assistant registrar; whoever gives a false answer to any election commissioner, registrar or assistant registrar respecting any matter relating to his registration or his right to vote; whoever otherwise illegally registers or attempts to register; or whoever aids or abets any other person in doing any of the acts above mentioned, shall be punished by imprisonment for not more than one year.

For disorderly conduct, etc., at registration.

Section 463. Whoever refuses to obey the lawful orders or directions of an election commissioner, a registrar or

assistant registrar, or interrupts or disturbs the proceedings at any registration shall be punished by a fine of not more than one hundred dollars.

For interfering with supervisor of registration.

Section 464. Whoever interferes with, or aids or abets any person in interfering with, any supervisor of registration in the performance of his duty, shall be punished by imprisonment for not more than one year.

For defacing or removing notice, voting list, warrant, etc.

Section 465. Whoever wilfully defaces or removes a notice relating to the registration of voters, or a voting list or notice or warrant for a primary or election posted in a city or town shall be punished by imprisonment for not more than one year.

For aiding, etc., persons in illegal voting, interference with voters, etc.

Section 466. Whoever aids or abets a person, who is not entitled to vote, in voting or attempting to vote at a primary or caucus, or in voting or attempting to vote under a name other than his own, or in casting or attempting to cast more than one ballot, or wilfully and without lawful authority hinders, delays or interferes with, or aids in hindering, delaying or interfering with, a voter while on his way to a primary or caucus, while marking his ballot or while voting or attempting to vote, or endeavors to induce a voter to show his ballot, shall be punished by imprisonment for not more than one year.

For altering ballot cast at a primary or caucus, illegally depositing or removing ballot, etc.

Section 467. Whoever alters a ballot cast at a primary or caucus or, not being authorized thereto, deposits a ballot in a ballot box or envelope used at a primary or caucus, or removes a ballot from such ballot box or envelope, shall be punished by imprisonment in jail for not more than three years.

For falsely making, filing, suppressing, defacing, etc., certificate, nomination paper or letter.

Section 468. Whoever falsely makes or wilfully alters, defaces, mutilates, destroys or suppresses a certificate of nomination or nomination paper, or letter of withdrawal of a name from such paper, or unlawfully signs any such certificate, paper or letter, or files any such certificate, paper or letter, knowing the same to be falsely made or altered, shall be punished by imprisonment for not more than one year.

On magistrate taking oath of signer to nomination paper.

Section 469. Whoever as a notary public, justice of the peace or other magistrate takes the oath of a signer to a nomination paper without satisfying himself that the person to whom the oath is administered is the signer of such nomination paper, or who shall fail to state in his attestation of such oath that he is so satisfied, shall be

punished by a fine of not less than ten or more than fifty dollars.

For writing, printing, posting, distributing, etc. anonymous circulars, etc.

Section 470. Whoever intentionally writes, prints, posts or distributes, or causes to be written, printed, posted or distributed, a circular or poster which is designed or tends to injure or defeat any candidate for nomination or election to any public office, by criticising his personal character or political action, or which is designed or tends to aid, injure, or defeat a constitutional amendment or any other question submitted to the voters, unless there appears upon such circular or poster in a conspicuous place either the names of the chairman and secretary, or of two officers of the political or other organization issuing the same, or of some voter who is responsible therefor, with his name and residence, and the street and number thereof, if any, shall be punished by imprisonment for not more than six months.

For obstructing or interfering with transmission of ballots or returns.

Section 471. Whoever wilfully obstructs or interferes with the transmission of ballots or returns to or from a polling place shall be punished by imprisonment for not more than one year.

For posting, distributing, etc., certain posters, cards, etc.

Section 472. Whoever posts, exhibits, circulates or distributes any poster, card, handbill, placard, picture or circular, except a paster to be placed upon the official ballot, intended to influence the action of a voter, in the polling place, in the building in which the polling place is located or on the walls thereof, on the premises on which the building stands, or on the sidewalk adjoining said premises, or within one hundred and fifty feet of the entrance to such polling place, shall be punished by a fine of not more than twenty dollars.

For injuring or destroying ballot box, blanks or apparatus.

Section 473. Whoever wilfully or maliciously injures or destroys a ballot box or any of the blank forms or apparatus furnished to a city or town under sections two hundred and forty-three and two hundred and forty-four, shall be punished by imprisonment for not more than one year.

For tampering with, injuring, etc., voting machine or ballot box.

Section 474. Any person who shall tamper with or injure or attempt to injure any voting machine or ballot box to be used or being used in an election, or who shall prevent or attempt to prevent the correct operation of such machine or box, or any unauthorized person who shall make or have in his possession a key to a voting machine or ballot box to be used or being used in an election, shall be guilty of a felony and shall be punished by a fine of not less than one hundred dollars or more than five hundred dollars, or by

To be guilty of a felony.

imprisonment in the state prison for not less than one year or more than five years, or by both such fine and imprisonment.

For refusal, etc., to comply with regulations relative to receiving, counting or returning votes, etc.

Section 475. Whoever refuses or wilfully neglects to comply with any regulation made by the election commissioners, aldermen or selectmen relative to the manner of receiving, counting and returning votes cast at a primary or election, or relative to the use of seals and ballot boxes, shall be punished by imprisonment for not more than six months.

For interfering with certain officers in the performance of their duties.

Section 476. Whoever interferes, or aids or abets any person in interfering with an election commissioner, city or town clerk, or election officer, in the performance of his duties shall be punished by imprisonment for not more than one year.

For hindering, molesting, etc., supervisor of elections.

Section 477. Whoever prevents a supervisor of elections from doing any of the acts authorized by section two hundred and forty of this act, or hinders or molests him in doing any such acts, or aids or abets in preventing, hindering or molesting him in doing any of such acts, shall be punished by imprisonment for not more than one year.

For printing or distributing ballots in violation of section 410.

Section 478. Whoever prints or distributes a ballot for use in the election of moderator at a town meeting in violation of section four hundred and ten, shall be punished by imprisonment for not more than sixty days.

For defacing, destroying, etc., lists, cards, ballots, supplies, etc.

Section 479. Whoever, before a primary or election, wilfully defaces or destroys any list of candidates posted under the provisions of this act, or, during a primary, caucus or election, wilfully defaces, tears down, removes or destroys any card of instruction or specimen ballot posted for the instruction of voters, or during a primary, caucus or election, wilfully removes or destroys any of the supplies or conveniences furnished to enable a voter to prepare his ballot, shall be punished by a fine of not more than one hundred dollars.

For forging indorsement, destroying, etc., or delaying delivery of ballots.

Section 480. Whoever forges or falsely makes the official indorsement on any ballot, or wilfully destroys or defaces a ballot, or wilfully delays the delivery of any ballots, shall be punished by imprisonment for not more than one year.

For obstructing or delaying voter.

Section 481. Whoever wilfully and without lawful authority obstructs or delays a voter while on his way to the polling place where he is entitled to vote or while he is voting or attempting to vote, or aids or assists in any such

obstruction or delay, shall be punished by imprisonment for not more than one year.

For interfering with or inducing voter to show ballot.

Section 482. Whoever interferes or attempts to interfere with a voter while he is marking his ballot or is within the space enclosed by the guard rail, or endeavors to induce a voter, before he has voted, to show how he marks or has marked his ballot, shall be punished by a fine of not more than one hundred dollars.

For obstructing voting.

Section 483. Whoever wilfully obstructs the voting at a primary or election shall be punished by a fine of not more than one hundred dollars.

For aiding or abetting in illegal voting.

Section 484. Whoever aids or abets a person who is not qualified to vote at a primary or election in voting or attempting to vote, or aids or abets a person in voting or attempting to vote under a name other than his own, or in casting or attempting to cast more than one ballot at one time of balloting, shall be punished by imprisonment for not more than one year.

For marking ballot contrary to law.

Section 485. Whoever places a mark against a name on a ballot not cast by himself, or places a distinguishing mark on a ballot not cast by himself, except as authorized by law, shall be punished by imprisonment in jail for not more than three years.

For altering, depositing or removing ballot with intent to defraud.

Section 486. Whoever, with intent to defraud, alters a ballot cast at a primary or election; or, with such intent, deposits a ballot in the ballot box used at a primary or election, or in an envelope provided by law for the preservation of ballots cast at a primary or election; or, with such intent, removes a ballot from any such ballot box or envelope, shall be punished by imprisonment in jail for not more than three years.

For removal of ballot from enclosed space.

Section 487. Whoever removes a ballot from the space enclosed by the guard rail before the close of the polls shall be punished by imprisonment for not more than one year.

For employing, etc., certain persons on day of state election.

Section 488. An owner, superintendent or overseer in any manufacturing, mechanical or mercantile establishment, who employs or permits to be employed therein any person entitled to vote at a state election, during the period of two hours after the opening of the polls in the voting precinct or town in which such person is entitled to vote, if he shall make application for leave of absence during such period, shall be punished by a fine of not more than one hundred dollars.

For attempting to influence voter by threats, etc.

Section 489. Whoever, by threatening to discharge a person from his employment or to reduce his wages, or by promising to give him employment at higher wages, attempts to influence a voter to give or to withhold his vote at an election, or whoever, because of the giving or withholding of a vote at an election, discharges a person from his employment or reduces his wages, shall be punished by imprisonment for not more than one year.

For bribery at elections.

Section 490. Whoever pays or gives, or directly or indirectly promises to a voter any gift or reward to influence his vote or to induce him to withhold his vote, shall be punished by imprisonment for not more than one year.

For disorderly conduct at a primary, caucus or election.

Section 491. Whoever, at a primary, caucus or election, behaves in a disorderly manner, and, after notice from the presiding officer, persists in such behavior and refuses to withdraw from the polling place, shall be punished by imprisonment for not more than thirty days.

For disobeying orders of primary, caucus or election officer.

Section 492. Whoever wilfully disobeys any lawful command of an election, caucus or primary officer shall be punished by imprisonment for not more than thirty days.

For not removing pipe, cigar, liquor, etc.

Section 493. Whoever, when so ordered by the presiding officer of an election, caucus, primary or meeting, refuses or fails to remove any pipe, cigar, cigarette or liquor, or to withdraw from the polling place, as provided by section two hundred and eighty-eight, shall be punished by a fine of not more than twenty dollars.

For giving information regarding challenged votes.

Section 494. Whoever gives any information derived from a recount of votes, relative to a ballot cast by a challenged voter at an election, caucus or primary, shall be punished by imprisonment for not more than one year.

For violating provisions of section 352.

Section 495. Whoever violates the provisions of section three hundred and fifty-two relative to obtaining nomination papers shall be punished by a fine of not more than one hundred dollars.

For violating provisions of section 353.

Section 496. Any corporation violating the provisions of section three hundred and fifty-three shall be punished by a fine of not more than ten thousand dollars, and any officer, director or agent of a corporation violating any provision of said section or authorizing such violation, or any person who violates or in any way knowingly aids or abets the violation of any provisions of said section shall be punished by a fine of not more than five thousand dollars or by imprisonment for not more than six months.

For violating provisions relating to corrupt practices.

Section 497. Whoever is convicted of wilfully violating any provision of law relating to corrupt practices in elections shall be deemed ineligible to hold public office for three years following the date of his conviction.

Same subject.

Section 498. If a person elected to public office is convicted of any wilful violation of the law relating to corrupt practices in connection with the primary or election at which he was nominated or elected, his office shall thereby be vacated, and a new election shall be held for the purpose of filling the same.

For violating provisions of sections 354 to 356.

Section 499. Any corporation which violates any provision of sections three hundred and fifty-four to three hundred and fifty-six, inclusive, shall be punished by a fine of not more than ten thousand dollars, and any officer, director or agent of a corporation violating any such provision, who authorized such violation, or any person who violates, or in any way knowingly aids or abets the violation of, any such provision, shall be punished by a fine of not more than one thousand dollars, or by imprisonment for not more than one year.

For violating provisions of section 358.

Section 500. Whoever violates any provision of section three hundred and fifty-eight shall be punished by a fine not exceeding one hundred dollars, or by imprisonment for not exceeding three months, or by both such fine and imprisonment.

For violating provisions relating to corrupt practices.

Section 501. Whoever violates any provisions of law relating to corrupt practices in elections, the punishment for which is not specially determined by law, shall be punished by imprisonment for not more than one year or by a fine of not more than one thousand dollars.

Enforcement of provisions.

Section 502. The supreme judicial court and the superior court shall have jurisdiction at law or in equity or by mandamus to enforce the provisions of this act. Police officers and constables shall arrest without a warrant any person detected in the act of violating the caucus, primary or election laws. A prosecution for the violation of any provision of this act shall not, unless the purposes of justice require such disposition, be placed on file or disposed of except by trial and judgment according to the regular course of criminal proceedings. It shall be disposed of otherwise only upon motion in writing stating specifically the reasons therefor and verified by affidavit if facts are relied on. If the court or magistrate certifies in writing that he is satisfied that the cause relied on exists and that the interests of pub-

lic justice require the allowance of the motion the motion shall be allowed and the certificate of the court or magistrate shall be filed in the case.

REPEAL OF FORMER STATUTES.

Section 503. Chapters five hundred and forty-three, five hundred and sixty, five hundred and seventy-nine, and five hundred and eighty-one of the acts of the year nineteen hundred and seven; chapters eighty-three, eighty-five, three hundred and forty-five, three hundred and ninety-one, four hundred and twenty-three, four hundred and twenty-five, four hundred and twenty-eight, four hundred and sixty-one, four hundred and eighty, four hundred and eighty-three, and five hundred and eighteen of the acts of the year nineteen hundred and eight; chapters one hundred and forty-nine, two hundred and thirteen, two hundred and sixty-four, three hundred and forty-four, three hundred and fifty-six, four hundred and forty, and four hundred and ninety-two of the acts of the year nineteen hundred and nine; chapters forty-four, fifty-five, one hundred and forty-seven, one hundred and eighty-two, two hundred, two hundred and forty-six, and five hundred and twenty of the acts of the year nineteen hundred and ten; chapters two hundred and twenty-two, three hundred and four, three hundred and fifty-three, three hundred and fifty-four, three hundred and fifty-five, three hundred and seventy-eight, four hundred and twenty-two, four hundred and thirty-six, five hundred and seventeen, five hundred and eighteen, five hundred and fifty, six hundred and seventy-nine, seven hundred and thirty-five, and seven hundred and forty-five of the acts of the year nineteen hundred and eleven; chapters two hundred and twenty-nine, two hundred and fifty-two, two hundred and fifty-four, two hundred and sixty-one, two hundred and sixty-five, two hundred and sixty-six, two hundred and seventy-three, two hundred and seventy-four, two hundred and seventy-five, three hundred and seven, three hundred and ninety-eight, four hundred and forty-six, four hundred and seventy-one, four hundred and seventy-three, four hundred and eighty-three, five hundred and fifteen, and six hundred and forty-one of the acts of the year nineteen hundred and twelve; chapters two hundred and eighty-six, four hundred and eight, four hundred and thirty-one, five hundred and sixteen, five hundred and fifty-nine, and six hundred and eighty-six of the acts of the Repeal.

year nineteen hundred and thirteen, and all other acts and parts of acts inconsistent herewith, are hereby repealed; but such repeal shall not revive any law heretofore repealed or superseded, and nothing in this act shall be construed as repealing existing provisions in city charters relating to city elections, and such provisions shall continue in full force and effect.

How provisions shall be construed, etc.

SECTION 504. The provisions of this act, so far as they are the same as those of existing statutes, shall be construed as continuations thereof and not as new enactments, and a reference in a statute which has not been repealed to provisions of law which have been revised and re-enacted herein shall be construed as applying to such provisions as so incorporated in this act; they shall not affect any act done, liability incurred, or any right accrued and established or any suit or prosecution, civil or criminal, pending or to be instituted, to enforce any right or penalty or to punish any offence under the authority of existing laws, but the proceedings in such cases shall conform to the provisions of this act. [*Approved June 20, 1913.*

Chap. 836 AN ACT RELATIVE TO THE RATE OF INTEREST UPON CERTAIN SECURITIES ISSUED BY THE CITY OF QUINCY.

Be it enacted, etc., as follows:

1911, 448, § 1, amended.

SECTION 1. Section one of chapter four hundred and forty-eight of the acts of the year nineteen hundred and eleven is hereby amended by inserting after the word "four", in the twelfth line, the words: — and one half, — so as to read as follows: — *Section 1.* The city of Quincy, for the purpose of extending its water mains, fixtures, meters, works and service, may from time to time issue bonds, notes or scrip, to be denominated on the face thereof, Quincy Public Water Supply Loan, Act of 1911, to an amount not exceeding two hundred thousand dollars, outside the limit of indebtedness fixed by law for that city, and in addition to the amounts heretofore authorized by law to be issued by the city for the same purposes. Such bonds, notes or scrip shall be payable at the expiration of periods not exceeding twenty years from their dates of issue; shall bear interest payable semi-annually at a rate not exceeding four and one half per cent per annum, and shall be signed by the treasurer of the city and countersigned by the mayor.

Quincy Public Water Supply Loan, Act of 1911.

SECTION 2. This act shall take effect upon its passage.

Approved June 20, 1913.

An Act to apportion and assess a state tax of eight million dollars. *Chap.* 837

Be it enacted, etc., as follows:

Section 1. Each city and town in this commonwealth shall be assessed and pay the sum with which it stands charged in the following schedule, that is to say: — State tax apportioned and assessed.

Abington, seventy-four hundred and forty dollars,	$7,440 00
Acton, forty-four hundred and eighty dollars,	4,480 00
Acushnet, twenty-one hundred and sixty dollars,	2,160 00
Adams, fifteen thousand seven hundred and sixty dollars,	15,760 00
Agawam, forty-eight hundred and eighty dollars,	4,880 00
Alford, four hundred dollars,	400 00
Amesbury, twelve thousand eight hundred and eighty dollars,	12,880 00
Amherst, ninety-two hundred dollars,	9,200 00
Andover, eighteen thousand one hundred and sixty dollars,	18,160 00
Arlington, twenty-eight thousand eight hundred and eighty dollars,	28,880 00
Ashburnham, twenty-five hundred and sixty dollars,	2,560 00
Ashby, sixteen hundred dollars,	1,600 00
Ashfield, fourteen hundred and forty dollars,	1,440 00
Ashland, twenty-six hundred and forty dollars,	2,640 00
Athol, twelve thousand seven hundred and twenty dollars,	12,720 00
Attleborough, thirty-three thousand four hundred and forty dollars,	33,440 00
Auburn, twenty-nine hundred and sixty dollars,	2,960 00
Avon, two thousand and eighty dollars,	2,080 00
Ayer, forty-two hundred and forty dollars,	4,240 00
Barnstable, thirteen thousand five hundred and twenty dollars,	13,520 00
Barre, five thousand and forty dollars,	5,040 00
Becket, twelve hundred and eighty dollars,	1,280 00
Bedford, thirty-three hundred and sixty dollars,	3,360 00
Belchertown, two thousand dollars,	2,000 00
Bellingham, eighteen hundred and forty dollars,	1,840 00
Belmont, seventeen thousand and forty dollars,	17,040 00
Berkley, nine hundred and sixty dollars,	960 00
Berlin, thirteen hundred and sixty dollars,	1,360 00
Bernardston, eleven hundred and twenty dollars,	1,120 00
Beverly, seventy-four thousand dollars,	74,000 00
Billerica, fifty-five hundred and twenty dollars,	5,520 00
Blackstone, forty-eight hundred and eighty dollars,	4,880 00
Blandford, twelve hundred dollars,	1,200 00
Bolton, twelve hundred and eighty dollars,	1,280 00
Boston, two million six hundred and thirty-two thousand dollars,	2,632,000 00

State tax apportioned and assessed.

Bourne, eleven thousand eight hundred and forty dollars,	$11,840 00
Boxborough, five hundred and sixty dollars,	560 00
Boxford, twenty-seven hundred and twenty dollars,	2,720 00
Boylston, twelve hundred and eighty dollars,	1,280 00
Braintree, fourteen thousand three hundred and twenty dollars,	14,320 00
Brewster, twenty-six hundred and forty dollars,	2,640 00
Bridgewater, eight thousand dollars,	8,000 00
Brimfield, sixteen hundred dollars,	1,600 00
Brockton, ninety-four thousand eight hundred dollars,	94,800 00
Brookfield, twenty-seven hundred and twenty dollars,	2,720 00
Brookline, two hundred thirty-five thousand two hundred dollars,	235,200 00
Buckland, seventeen hundred and sixty dollars,	1,760 00
Burlington, thirteen hundred and sixty dollars,	1,360 00
Cambridge, two hundred ten thousand three hundred and twenty dollars,	210,320 00
Canton, ten thousand eight hundred dollars,	10,800 00
Carlisle, nine hundred and sixty dollars,	960 00
Carver, thirty-six hundred dollars,	3,600 00
Charlemont, twelve hundred dollars,	1,200 00
Charlton, twenty-eight hundred and eighty dollars,	2,880 00
Chatham, twenty-eight hundred dollars,	2,800 00
Chelmsford, eighty-one hundred and sixty dollars,	8,160 00
Chelsea, fifty-one thousand three hundred and sixty dollars,	51,360 00
Cheshire, eighteen hundred and forty dollars,	1,840 00
Chester, sixteen hundred and eighty dollars,	1,680 00
Chesterfield, seven hundred and twenty dollars,	720 00
Chicopee, thirty-three thousand nine hundred and twenty dollars,	33,920 00
Chilmark, six hundred and forty dollars,	640 00
Clarksburg, seven hundred and twenty dollars,	720 00
Clinton, eighteen thousand two hundred and forty dollars,	18,240 00
Cohasset, eighteen thousand four hundred and eighty dollars,	18,480 00
Colrain, seventeen hundred and sixty dollars,	1,760 00
Concord, sixteen thousand and eighty dollars,	16,080 00
Conway, sixteen hundred dollars,	1,600 00
Cummington, eight hundred dollars,	800 00
Dalton, ninety-six hundred and eighty dollars,	9,680 00
Dana, eight hundred and eighty dollars,	880 00
Danvers, fourteen thousand three hundred and twenty dollars,	14,320 00
Dartmouth, ten thousand three hundred and twenty dollars,	10,320 00
Dedham, twenty-four thousand eight hundred and eighty dollars,	24,880 00
Deerfield, forty-two hundred and forty dollars,	4,240 00
Dennis, twenty-seven hundred and twenty dollars,	2,720 00

Dighton, twenty-eight hundred and eighty dollars,	$2,880 00	State tax apportioned and assessed.
Douglas, thirty-two hundred dollars,	3,200 00	
Dover, eleven thousand and forty dollars,	11,040 00	
Dracut, five thousand and forty dollars,	5,040 00	
Dudley, forty-five hundred and sixty dollars,	4,560 00	
Dunstable, eleven hundred and twenty dollars,	1,120 00	
Duxbury, six thousand dollars,	6,000 00	
East Bridgewater, forty-seven hundred and twenty dollars,	4,720 00	
East Longmeadow, nineteen hundred and twenty dollars,	1,920 00	
Eastham, eight hundred and eighty dollars,	880 00	
Easthampton, thirteen thousand five hundred and twenty dollars,	13,520 00	
Easton, nineteen thousand two hundred dollars,	19,200 00	
Edgartown, twenty-one hundred and sixty dollars,	2,160 00	
Egremont, ten hundred and forty dollars,	1,040 00	
Enfield, fifteen hundred and twenty dollars,	1,520 00	
Erving, twenty-two hundred and forty dollars,	2,240 00	
Essex, twenty-five hundred and sixty dollars,	2,560 00	
Everett, fifty-four thousand nine hundred and sixty dollars,	54,960 00	
Fairhaven, eight thousand and eighty dollars,	8,080 00	
Fall River, one hundred eighty-two thousand eight hundred dollars,	182,800 00	
Falmouth, twenty-seven thousand and forty dollars,	27,040 00	
Fitchburg, sixty-four thousand two hundred and forty dollars,	64,240 00	
Florida, four hundred dollars,	400 00	
Foxborough, fifty-one hundred and twenty dollars,	5,120 00	
Framingham, twenty-nine thousand two hundred and eighty dollars,	29,280 00	
Franklin, eighty-seven hundred and twenty dollars,	8,720 00	
Freetown, two thousand and eighty dollars,	2,080 00	
Gardner, twenty-one thousand nine hundred and twenty dollars,	21,920 00	
Gay Head, eighty dollars,	80 00	
Georgetown, twenty-four hundred dollars,	2,400 00	
Gill, nine hundred and sixty dollars,	960 00	
Gloucester, forty-four thousand nine hundred and sixty dollars,	44,960 00	
Goshen, four hundred dollars,	400 00	
Gosnold, twelve hundred and eighty dollars,	1,280 00	
Grafton, sixty-two hundred and forty dollars,	6,240 00	
Granby, twelve hundred and eighty dollars,	1,280 00	
Granville, eleven hundred and twenty dollars,	1,120 00	
Great Barrington, twelve thousand four hundred dollars,	12,400 00	
Greenfield, twenty thousand eight hundred dollars,	20,800 00	
Greenwich, five hundred and sixty dollars,	560 00	
Groton, eighty-six hundred and forty dollars,	8,640 00	
Groveland, twenty-four hundred dollars,	2,400 00	
Hadley, thirty-five hundred and twenty dollars,	3,520 00	

State tax apportioned and assessed.

Halifax, eleven hundred and twenty dollars,	$1,120 00
Hamilton, ten thousand two hundred and forty dollars,	10,240 00
Hampden, eight hundred dollars,	800 00
Hancock, eight hundred dollars,	800 00
Hanover, thirty-six hundred dollars,	3,600 00
Hanson, twenty-eight hundred and eighty dollars,	2,880 00
Hardwick, seventy-four hundred and forty dollars,	7,440 00
Harvard, thirty-six hundred dollars,	3,600 00
Harwich, twenty-eight hundred dollars,	2,800 00
Hatfield, thirty-two hundred dollars,	3,200 00
Haverhill, sixty-eight thousand one hundred and sixty dollars,	68,160 00
Hawley, four hundred and eighty dollars,	480 00
Heath, four hundred dollars,	400 00
Hingham, fourteen thousand eight hundred and eighty dollars,	14,880 00
Hinsdale, thirteen hundred and sixty dollars,	1,360 00
Holbrook, thirty-four hundred and forty dollars,	3,440 00
Holden, thirty-nine hundred and twenty dollars,	3,920 00
Holland, two hundred and forty dollars,	240 00
Holliston, thirty-seven hundred and sixty dollars,	3,760 00
Holyoke, one hundred eight thousand nine hundred and sixty dollars,	108,960 00
Hopedale, eighteen thousand and eighty dollars,	18,080 00
Hopkinton, thirty-three hundred and sixty dollars,	3,360 00
Hubbardston, sixteen hundred dollars,	1,600 00
Hudson, ninety-one hundred and twenty dollars,	9,120 00
Hull, twelve thousand four hundred dollars,	12,400 00
Huntington, sixteen hundred dollars,	1,600 00
Ipswich, ten thousand eight hundred dollars,	10,800 00
Kingston, thirty-four hundred and forty dollars,	3,440 00
Lakeville, twenty-two hundred and forty dollars,	2,240 00
Lancaster, twenty-six thousand dollars,	26,000 00
Lanesborough, twelve hundred dollars,	1,200 00
Lawrence, one hundred thirty-six thousand five hundred and sixty dollars,	136,560 00
Lee, six thousand and eighty dollars,	6,080 00
Leicester, fifty-two hundred and eighty dollars,	5,280 00
Lenox, twenty thousand and eighty dollars,	20,080 00
Leominster, twenty-seven thousand two hundred dollars,	27,200 00
Leverett, seven hundred and twenty dollars,	720 00
Lexington, sixteen thousand and eighty dollars,	16,080 00
Leyden, four hundred dollars,	400 00
Lincoln, seventy-six hundred and eighty dollars,	7,680 00
Littleton, twenty-one hundred and sixty dollars,	2,160 00
Longmeadow, forty-four hundred dollars,	4,400 00
Lowell, one hundred fifty-six thousand one hundred and sixty dollars,	156,160 00
Ludlow, eighty-two hundred and forty dollars,	8,240 00
Lunenburg, twenty-five hundred and sixty dollars,	2,560 00
Lynn, one hundred fifty-four thousand four hundred dollars,	154,400 00

Lynnfield, twenty-one hundred and sixty dollars,	$2,160 00	State tax apportioned and assessed.
Malden, seventy-seven thousand two hundred dollars,	77,200 00	
Manchester, thirty-nine thousand six hundred and eighty dollars,	39,680 00	
Mansfield, ninety-two hundred dollars,	9,200 00	
Marblehead, seventeen thousand three hundred and sixty dollars,	17,360 00	
Marion, eleven thousand six hundred and eighty dollars,	11,680 00	
Marlborough, nineteen thousand seven hundred and sixty dollars,	19,760 00	
Marshfield, forty-five hundred and sixty dollars,	4,560 00	
Mashpee, four hundred dollars,	400 00	
Mattapoisett, forty-six hundred and forty dollars,	4,640 00	
Maynard, seventy-seven hundred and sixty dollars,	7,760 00	
Medfield, thirty-six hundred and eighty dollars,	3,680 00	
Medford, forty-nine thousand two hundred and eighty dollars,	49,280 00	
Medway, thirty-two hundred and eighty dollars,	3,280 00	
Melrose, thirty-two thousand six hundred and forty dollars,	32,640 00	
Mendon, thirteen hundred and sixty dollars,	1,360 00	
Merrimac, twenty-seven hundred and twenty dollars,	2,720 00	
Methuen, nineteen thousand seven hundred and sixty dollars,	19,760 00	
Middleborough, ten thousand four hundred dollars,	10,400 00	
Middlefield, four hundred and eighty dollars,	480 00	
Middleton, seventeen hundred and sixty dollars,	1,760 00	
Milford, eighteen thousand and eighty dollars,	18,080 00	
Millbury, sixty-four hundred and eighty dollars,	6,480 00	
Millis, twenty-four hundred and eighty dollars,	2,480 00	
Milton, fifty-five thousand two hundred and eighty dollars,	55,280 00	
Monroe, four hundred dollars,	400 00	
Monson, fifty-two hundred dollars,	5,200 00	
Montague, eighty-seven hundred and twenty dollars,	8,720 00	
Monterey, six hundred and forty dollars,	640 00	
Montgomery, four hundred dollars,	400 00	
Mount Washington, two hundred and forty dollars,	240 00	
Nahant, twenty-two thousand six hundred and forty dollars,	22,640 00	
Nantucket, seventy-two hundred dollars,	7,200 00	
Natick, sixteen thousand five hundred and sixty dollars,	16,560 00	
Needham, thirteen thousand nine hundred and twenty dollars,	13,920 00	
New Ashford, one hundred and sixty dollars,	160 00	
New Bedford, one hundred ninety-three thousand nine hundred and twenty dollars,	193,920 00	
New Braintree, eight hundred and eighty dollars,	880 00	
New Marlborough, sixteen hundred and eighty dollars,	1,680 00	
New Salem, eight hundred dollars,	800 00	
Newbury, thirty-seven hundred and sixty dollars,	3,760 00	

State tax apportioned and assessed.

Newburyport, twenty-four thousand one hundred and sixty dollars,	$24,160 00
Newton, one hundred forty thousand eight hundred dollars,	140,800 00
Norfolk, nineteen hundred and twenty dollars,	1,920 00
North Adams, twenty-nine thousand two hundred and eighty dollars,	29,280 00
North Andover, twelve thousand three hundred and twenty dollars,	12,320 00
North Attleborough, sixteen thousand eight hundred dollars,	16,800 00
North Brookfield, four thousand and eighty dollars,	4,080 00
North Reading, sixteen hundred and eighty dollars,	1,680 00
Northampton, thirty-one thousand two hundred dollars,	31,200 00
Northborough, thirty-one hundred and twenty dollars,	3,120 00
Northbridge, thirteen thousand nine hundred and twenty dollars,	13,920 00
Northfield, three thousand and forty dollars,	3,040 00
Norton, thirty-two hundred and eighty dollars,	3,280 00
Norwell, twenty-four hundred dollars,	2,400 00
Norwood, twenty-seven thousand one hundred and twenty dollars,	27,120 00
Oak Bluffs, thirty-one hundred and twenty dollars,	3,120 00
Oakham, eight hundred dollars,	800 00
Orange, eighty-nine hundred and sixty dollars,	8,960 00
Orleans, three thousand and forty dollars,	3,040 00
Otis, five hundred and sixty dollars,	560 00
Oxford, forty-eight hundred and eighty dollars,	4,880 00
Palmer, ten thousand eight hundred and eighty dollars,	10,880 00
Paxton, eight hundred dollars,	800 00
Peabody, twenty-five thousand one hundred and twenty dollars,	25,120 00
Pelham, seven hundred and twenty dollars,	720 00
Pembroke, two thousand dollars,	2,000 00
Pepperell, forty-five hundred and sixty dollars,	4,560 00
Peru, three hundred and twenty dollars,	320 00
Petersham, twenty-one hundred and sixty dollars,	2,160 00
Phillipston, six hundred and forty dollars,	640 00
Pittsfield, sixty-five thousand six hundred and eighty dollars,	65,680 00
Plainfield, four hundred dollars,	400 00
Plainville, eighteen hundred and forty dollars,	1,840 00
Plymouth, twenty-three thousand two hundred dollars,	23,200 00
Plympton, eight hundred dollars,	800 00
Prescott, four hundred dollars,	400 00
Princeton, thirty-nine hundred and twenty dollars,	3,920 00
Provincetown, forty-six hundred and forty dollars,	4,640 00
Quincy, sixty-two thousand four hundred dollars,	62,400 00
Randolph, fifty-six hundred dollars,	5,600 00
Raynham, two thousand dollars,	2,000 00
Reading, eleven thousand nine hundred and twenty dollars,	11,920 00

Rehoboth, two thousand dollars,	$2,000 00	State tax apportioned and assessed.
Revere, thirty-four thousand seven hundred and twenty dollars,	34,720 00	
Richmond, twelve hundred dollars,	1,200 00	
Rochester, sixteen hundred and eighty dollars,	1,680 00	
Rockland, ninety-nine hundred and twenty dollars,	9,920 00	
Rockport, sixty-eight hundred and eighty dollars,	6,880 00	
Rowe, four hundred and eighty dollars,	480 00	
Rowley, twenty-eight hundred dollars,	2,800 00	
Royalston, thirteen hundred and sixty dollars,	1,360 00	
Russell, two thousand dollars,	2,000 00	
Rutland, sixteen hundred and eighty dollars,	1,680 00	
Salem, seventy-one thousand and forty dollars,	71,040 00	
Salisbury, twenty-four hundred and eighty dollars,	2,480 00	
Sandisfield, seven hundred and twenty dollars,	720 00	
Sandwich, twenty-two hundred and forty dollars,	2,240 00	
Saugus, eleven thousand six hundred dollars,	11,600 00	
Savoy, four hundred and eighty dollars,	480 00	
Scituate, eighty-four hundred dollars,	8,400 00	
Seekonk, three thousand and forty dollars,	3,040 00	
Sharon, fifty-four hundred and forty dollars,	5,440 00	
Sheffield, twenty-five hundred and sixty dollars,	2,560 00	
Shelburne, twenty-four hundred and eighty dollars,	2,480 00	
Sherborn, three thousand and forty dollars,	3,040 00	
Shirley, twenty-five hundred and sixty dollars,	2,560 00	
Shrewsbury, forty-nine hundred and sixty dollars,	4,960 00	
Shutesbury, five hundred and sixty dollars,	560 00	
Somerset, thirty-three hundred and sixty dollars,	3,360 00	
Somerville, one hundred and twenty-six thousand dollars,	126,000 00	
South Hadley, sixty-five hundred and sixty dollars,	6,560 00	
Southampton, eleven hundred and twenty dollars,	1,120 00	
Southborough, seventy-five hundred and twenty dollars,	7,520 00	
Southbridge, fourteen thousand seven hundred and twenty dollars,	14,720 00	
Southwick, sixteen hundred dollars,	1,600 00	
Spencer, seventy-seven hundred and sixty dollars,	7,760 00	
Springfield, two hundred fifty-five thousand nine hundred and twenty dollars,	255,920 00	
Sterling, twenty-five hundred and sixty dollars,	2,560 00	
Stockbridge, ninety-six hundred dollars,	9,600 00	
Stoneham, ninety-nine hundred and twenty dollars,	9,920 00	
Stoughton, seventy-six hundred and eighty dollars,	7,680 00	
Stow, nineteen hundred and twenty dollars,	1,920 00	
Sturbridge, two thousand dollars,	2,000 00	
Sudbury, twenty-four hundred dollars,	2,400 00	
Sunderland, sixteen hundred dollars,	1,600 00	
Sutton, twenty-eight hundred and eighty dollars,	2,880 00	
Swampscott, twenty-seven thousand two hundred and eighty dollars,	27,280 00	
Swansea, thirty-two hundred and eighty dollars,	3,280 00	
Taunton, fifty-one thousand two hundred dollars,	51,200 00	

State tax apportioned and assessed.

Templeton, four thousand and eighty dollars,	$4,080 00
Tewksbury, twenty-eight hundred and eighty dollars,	2,880 00
Tisbury, three thousand and forty dollars,	3,040 00
Tolland, four hundred and eighty dollars,	480 00
Topsfield, fifty-eight hundred and forty dollars,	5,840 00
Townsend, twenty-seven hundred and twenty dollars,	2,720 00
Truro, eight hundred dollars,	800 00
Tyngsborough, twelve hundred and eighty dollars,	1,280 00
Tyringham, eight hundred and eighty dollars,	880 00
Upton, twenty-six hundred and forty dollars,	2,640 00
Uxbridge, sixty-nine hundred and sixty dollars,	6,960 00
Wakefield, nineteen thousand six hundred and eighty dollars,	19,680 00
Wales, five hundred and sixty dollars,	560 00
Walpole, eleven thousand two hundred dollars,	11,200 00
Waltham, fifty-four thousand five hundred and sixty dollars,	54,560 00
Ware, eleven thousand four hundred and forty dollars,	11,440 00
Wareham, ten thousand and eighty dollars,	10,080 00
Warren, forty-four hundred and eighty dollars,	4,480 00
Warwick, eight hundred dollars,	800 00
Washington, six hundred and forty dollars,	640 00
Watertown, thirty-two thousand eight hundred dollars,	32,800 00
Wayland, sixty-one hundred and sixty dollars,	6,160 00
Webster, twenty thousand and eighty dollars,	20,080 00
Wellesley, thirty thousand five hundred and sixty dollars,	30,560 00
Wellfleet, seventeen hundred and sixty dollars,	1,760 00
Wendell, nine hundred and sixty dollars,	960 00
Wenham, fifty-two hundred and eighty dollars,	5,280 00
West Boylston, nineteen hundred and twenty dollars,	1,920 00
West Bridgewater, three thousand and forty dollars,	3,040 00
West Brookfield, nineteen hundred and twenty dollars,	1,920 00
West Newbury, twenty-one hundred and sixty dollars,	2,160 00
West Springfield, sixteen thousand four hundred and eighty dollars,	16,480 00
West Stockbridge, twelve hundred dollars,	1,200 00
West Tisbury, twelve hundred and eighty dollars,	1,280 00
Westborough, sixty-seven hundred and twenty dollars,	6,720 00
Westfield, twenty-two thousand four hundred dollars,	22,400 00
Westford, forty-six hundred and forty dollars,	4,640 00
Westhampton, five hundred and sixty dollars,	560 00
Westminster, two thousand dollars,	2,000 00
Weston, seventeen thousand two hundred and eighty dollars,	17,280 00
Westport, forty-six hundred and forty dollars,	4,640 00
Westwood, seventy-two hundred dollars,	7,200 00
Weymouth, eighteen thousand seven hundred and twenty dollars,	18,720 00
Whately, twelve hundred and eighty dollars,	1,280 00
Whitman, ten thousand four hundred dollars,	10,400 00
Wilbraham, thirty-one hundred and twenty dollars,	3,120 00

Williamsburg, twenty-four hundred and eighty dollars,	$2,480 00	State tax apportioned and assessed.
Williamstown, ninety-seven hundred and sixty dollars,	9,760 00	
Wilmington, thirty-two hundred and eighty dollars,	3,280 00	
Winchendon, eighty-three hundred and twenty dollars,	8,320 00	
Winchester, twenty-eight thousand dollars,	28,000 00	
Windsor, six hundred and forty dollars,	640 00	
Winthrop, twenty-eight thousand dollars,	28,000 00	
Woburn, twenty-two thousand four hundred dollars,	22,400 00	
Worcester, two hundred ninety-six thousand five hundred and sixty dollars,	296,560 00	
Worthington, eight hundred dollars,	800 00	
Wrentham, twenty-five hundred and sixty dollars,	2,560 00	
Yarmouth, forty-eight hundred dollars,	4,800 00	

Section 2. The treasurer of the commonwealth shall forthwith send his warrant, according to the provisions of section thirty-four of Part I of chapter four hundred and ninety of the acts of the year nineteen hundred and nine, to the selectmen or assessors of each city and town taxed as aforesaid, requiring them respectively to assess the sum so charged, and to add the amount of such tax to the amount of city, town and county taxes to be assessed by them respectively on each city and town. Treasurer to issue warrant.

Section 3. The treasurer of the commonwealth in his warrant shall require the said selectmen or assessors to pay, or issue severally their warrant or warrants requiring the treasurers of their several cities or towns to pay to the treasurer of the commonwealth, on or before the fifteenth day of November in the year nineteen hundred and thirteen, the sums set against said cities and towns in the schedule aforesaid; and the selectmen or assessors respectively shall return a certificate of the names of the treasurers of their several cities and towns, with the sum which each may be required to collect, to the treasurer of the commonwealth at some time before the first day of September in the year nineteen hundred and thirteen. Payment of assessments.

Section 4. If the amount due from any city or town, as provided in this act, is not paid to the treasurer of the commonwealth within the time specified, then the said treasurer shall notify the treasurer of such delinquent city or town, who shall pay into the treasury of the commonwealth, in addition to the tax, such further sum as would be equal to one per cent per month during the delinquency from and after the fifteenth day of November in the year nineteen hundred and thirteen; and if the same remains unpaid after Notice to treasurer of delinquent city or town.

the first day of December in the year nineteen hundred and thirteen, an information may be filed by the treasurer of the commonwealth in the supreme judicial court, or before any justice thereof, against such delinquent city or town; and upon notice to such city or town, and a summary hearing thereon, a warrant of distress may issue against such city or town to enforce the payment of said taxes under such penalties as said court or the justice thereof before whom the hearing is had shall order.

SECTION 5. This act shall take effect upon its passage.

Approved June 20, 1913.

Chap. 838 AN ACT RELATIVE TO THE RATE OF INTEREST TO BE PAID BY THE CITY OF NEW BEDFORD UPON SECURITIES ISSUED BY THE CITY.

Be it enacted, etc., as follows:

1910, 474, § 1, amended.

SECTION 1. Section one of chapter four hundred and seventy-four of the acts of the year nineteen hundred and ten is hereby amended by inserting after the word "four", in the eleventh line, the words: — and one half, — so as to read as follows: — *Section 1.* The city of New Bedford, for the purpose of constructing sewers and of providing for the disposal of sewage, may incur indebtedness to an amount not exceeding one million, six hundred thousand dollars, and may issue bonds, notes or scrip therefor, to be denominated on the face thereof, City of New Bedford Sewer Loan, Act of 1910. Such bonds, notes or scrip shall be signed by the treasurer of the city and countersigned by the mayor. They shall be payable at the expiration of not more than thirty years from the dates of issue, shall bear interest at a rate not exceeding four and one half per cent per annum, and shall not be reckoned in determining the statutory limit of indebtedness of the city. The city may sell such securities at public or private sale or pledge the same for money borrowed for the purposes aforesaid, upon such terms and conditions as it may deem proper: *provided,* that they shall not be sold or pledged for less than their par value.

City of New Bedford Sewer Loan, Act of 1910.

Proviso.

1913, 183, § 1, amended.

SECTION 2. Section one of chapter one hundred and eighty-three of the acts of the year nineteen hundred and thirteen is hereby amended by striking out the word "four", in the eighth line, and inserting in place thereof the words: — four and one half, — so as to read as follows: — *Section 1.*

The city of New Bedford, for the purpose of sewer construction in that city, may incur indebtedness, beyond the limit fixed by law, to an amount not exceeding one hundred thousand dollars, and may issue bonds, notes or scrip therefor. Such bonds, notes or scrip shall be payable within such periods, not exceeding thirty years from the dates of issue, and shall bear such rate of interest, not exceeding four and one half per cent per annum, payable semi-annually, as the city council shall determine. Except as otherwise provided herein, the provisions of chapter four hundred and ninety of the acts of the year nineteen hundred and nine shall, so far as they may be applicable, apply to the indebtedness hereby authorized and to the securities issued therefor.

City of New Bedford may incur indebtedness for sewer purposes.

Section 3. Section one of chapter three hundred and eighty-five of the acts of the year nineteen hundred and thirteen is hereby amended by striking out the word "four", in the ninth line, and inserting in place thereof the words: — four and one half, — so as to read as follows: — *Section 1.* The city of New Bedford, for the purpose of repairing and reconstructing the bridge at the foot of Coggeshall street, across the Acushnet river in that city, may incur indebtedness, beyond the limit fixed by law, to an amount not exceeding twenty-five thousand dollars, and may issue bonds, notes or scrip therefor. Such bonds, notes or scrip shall be payable within such periods, not exceeding five years from their respective dates of issue, and shall bear such rate of interest, not exceeding four and one half per cent per annum, payable semi-annually, as the city council shall determine. Except as otherwise provided herein, the provisions of chapter four hundred and ninety of the acts of the year nineteen hundred and nine shall, so far as they may be applicable, apply to the indebtedness hereby authorized and to the securities issued therefor.

1913, 385, § 1, amended.

City of New Bedford may incur indebtedness for repairing certain bridge.

Section 4. This act shall take effect upon its passage.

Approved June 20, 1913.

An Act relative to certain bonds or notes to be issued by the town of Blackstone. *Chap.* 839

Be it enacted, etc., as follows:

Section 1. Section six of chapter six hundred and sixty-one of the acts of the year nineteen hundred and thirteen is hereby amended by striking out the word "three", in the first sentence, and inserting in place thereof the word: —

1913, 661, § 6, amended.

Payment of loan.

five, — so as to read as follows: — *Section 6.* Said town shall, at the time of authorizing said loan or loans, provide for the payment thereof in accordance with the provisions of section five of this act; and when a vote to that effect has been passed, a sum which, with the income derived from water rates, will be sufficient to pay the annual expense of operating its water works and the interest as it accrues on the bonds or notes issued as aforesaid by the town, and to make such payments on the principal as may be required under the provisions of this act, shall, without further vote, be assessed by the assessors of the town annually thereafter, in the same manner in which other taxes are assessed, until the debt incurred by said loan or loans is extinguished.

Action of town legalized.

SECTION 2. Any action taken by the town of Blackstone under the provisions of chapter six hundred and sixty-one of the acts of the year nineteen hundred and thirteen shall be deemed to have been taken in accordance with said act as amended by this act without a further vote of the town being required.

SECTION 3. This act shall take effect upon its passage.

Approved June 20, 1913.

Chap. 840 AN ACT RELATIVE TO THE GRANTING OF INJUNCTIONS AND RESTRAINING ORDERS BY THE PROBATE COURTS.

Be it enacted, etc., as follows:

1913, 515, § 1, amended.

SECTION 1. Section one of chapter five hundred and fifteen of the acts of the year nineteen hundred and thirteen is hereby amended by adding at the end thereof the following: — The provisions of this act shall not apply to any proceedings in the probate courts, — so as to read as follows: — *Section 1.* No preliminary injunction shall be granted without notice to the opposite party. No temporary restraining order shall be granted without notice to the opposite party, unless it shall clearly appear from specific facts, shown by affidavit or by the verified bill, that immediate and irreparable loss or damage will result to the applicant before the matter can be heard on notice. In case a temporary restraining order shall be granted without notice, in the contingency specified, the matter shall be made returnable at the earliest possible time, and in no event later than ten days from the date of the order, and shall take precedence of all matters except older matters of the same character. When the matter comes up for hearing the party who ob-

Granting of preliminary injunctions and restraining orders.

tained the temporary restraining order shall proceed with his application for a preliminary injunction, and if he does not do so the court shall dissolve the temporary restraining order. Upon two days' notice to the party obtaining such temporary restraining order, the opposite party may appear and move the dissolution or modification of the order, and in that event the court or judge shall proceed to hear and determine the motion as expeditiously as the ends of justice may require. Every temporary restraining order shall be filed forthwith in the clerk's office. The provisions of this act shall not apply to any proceedings in the probate courts.

Section 2. This act shall take effect upon its passage.

[*Approved June 20, 1913.*

An Act in addition to all the several acts making appropriations for sundry miscellaneous expenses authorized during the present year or by previous laws. *Chap.* 841

Be it enacted, etc., as follows:

Section 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the commonwealth from the ordinary revenue, unless herein otherwise provided, for the purposes specified, to wit: — Appropriations.

For an investigation by the state board of health of the question of sewerage in the south metropolitan district, as authorized by chapter eighty-three of the resolves of the present year, a sum not exceeding twenty-five hundred dollars. Investigation of sewerage in south metropolitan district.

For expenses of the commission to investigate the subject of state, county and municipal pensions, as authorized by chapter one hundred and six of the resolves of the present year, a sum not exceeding ten thousand dollars. Investigation of subject of state and municipal pensions, etc.

For expenses of the commission to report legislation relative to drunkenness, as authorized by chapter one hundred and seventeen of the resolves of the present year, a sum not exceeding two thousand dollars. Commission on drunkenness.

For a codification of the health laws of the commonwealth, as authorized by chapter one hundred and eighteen of the resolves of the present year, a sum not exceeding five hundred dollars. Codification of health laws.

For certain repairs at the Rutland state sanatorium, as authorized by chapter one hundred and nineteen of the Repairs at Rutland State sanatorium.

resolves of the present year, a sum not exceeding fifty-two hundred twenty-two dollars and one cent.

Investigation of social service work.

For an investigation by the state board of insanity of social service work for the prevention of insanity and the after care of the mentally ill, as authorized by chapter one hundred and twenty of the resolves of the present year, a sum not exceeding two hundred dollars.

Report of Connecticut Valley waterway board.

For printing additional copies of the report of the Connecticut Valley waterway board, as authorized by chapter one hundred and twenty-one of the resolves of the present year, a sum not exceeding five hundred dollars.

Enforcement of laws in the waters of the commonwealth.

For expenses incurred by the chief of the district police in the enforcement of the laws relative to the waters of the commonwealth, as authorized by chapter one hundred and twenty-two of the resolves of the present year, a sum not exceeding fifteen hundred dollars.

Jennie L. Jenkins.

For Jennie L. Jenkins, as authorized by chapter one hundred and twenty-three of the resolves of the present year, the sum of four hundred and twenty-five dollars.

Temporary quarters for defective delinquents.

For expense of leasing temporary quarters for defective delinquents, as authorized by chapter one hundred and twenty-four of the resolves of the present year, a sum not exceeding twenty-five thousand dollars, to be paid from such of the prison industries funds as the prison commission may designate.

Representation at Panama-Pacific exposition.

For expense of representation of the commonwealth at the Panama-Pacific international exposition, as authorized by chapter one hundred and twenty-five of the resolves of the present year, a sum not exceeding fifty thousand dollars, the same to be in addition to any amount heretofore appropriated for this purpose.

State normal school at Salem.

For furnishings and equipment at the state normal school at Salem, as authorized by chapter one hundred and twenty-six of the resolves of the present year, a sum not exceeding fifteen thousand five hundred dollars.

Report on part-time schooling.

For printing a report of the board of education on part-time schooling, as authorized by chapter one hundred and twenty-seven of the resolves of the present year, a sum not exceeding six hundred dollars.

Construction of River road.

For the construction of the River road, so-called, from Williamstown to Pittsfield, as authorized by chapter one hundred and twenty-eight of the resolves of the present year, a sum not exceeding ten thousand dollars.

For the investigation of methods of conserving and equalizing the flow of waters in the rivers and streams of the commonwealth, as authorized by chapter one hundred and twenty-nine of the resolves of the present year, a sum not exceeding five thousand dollars. Investigation as to conservation, etc., of waters.

For the construction of a bulkhead and playground near Lynn harbor, as authorized by chapter one hundred and thirty of the resolves of the present year, a sum not exceeding ten thousand dollars, the same to be paid from the Metropolitan Parks Maintenance Fund. Bulkhead, etc., near Lynn harbor.

For expenses of the commission to investigate and report upon the taxation of wild or forest lands, as authorized by chapter one hundred and thirty-one of the resolves of the present year, a sum not exceeding five thousand dollars. Commission on taxation of wild or forest lands.

For the improvement of Plymouth harbor, as authorized by chapter one hundred and thirty-two of the resolves of the present year, the sum of eighty-three thousand five hundred dollars. Improvement of Plymouth harbor.

For improvements at sundry state institutions, as specified in and authorized by chapter one hundred and thirty-three of the resolves of the present year, a sum not exceeding one million three hundred sixty-two thousand one hundred fifty-two dollars and ninety-three cents. Improvements at state institutions.

For printing the report of the bank commissioner, a sum not exceeding twelve hundred forty-five dollars and three cents, the same to be in addition to any amount heretofore appropriated for this purpose. Report of bank commissioner.

For printing the report of the free public library commissioners, a sum not exceeding twenty-two dollars and eighty-one cents, the same to be in addition to any amount heretofore appropriated for this purpose. Report of free public library commissioners.

For legislative printing and binding, a sum not exceeding two thousand dollars, the same to be in addition to any amount heretofore appropriated for this purpose. Legislative printing and binding.

For incidental expenses in the office of the tax commissioner, a sum not exceeding fifteen hundred dollars, the same to be in addition to any amount heretofore appropriated for this purpose. Expenses of tax commissioner.

For expenses of free employment offices, to be expended under the direction of the director of the bureau of statistics, a sum not exceeding eighteen hundred dollars, the same to be in addition to any amount heretofore appropriated for this purpose. Free employment offices.

Expenses of secretary of the commonwealth.

For incidental expenses in the office of the secretary of the commonwealth, a sum not exceeding one thousand dollars, the same to be in addition to any amount heretofore appropriated for this purpose.

Auditing, etc., of municipal accounts.

For expenses of auditing and installing systems of accounts in the cities and towns of the commonwealth, a sum not exceeding eight thousand dollars, the same to be in addition to any amount heretofore appropriated for this purpose, and to be met by assessments on the cities and towns for which the work is done.

Board of labor and industries.

For salaries and other expenses of the board of labor and industries, as authorized by chapter seven hundred and twenty-six of the acts of the year nineteen hundred and twelve, a sum not exceeding thirty-five thousand dollars, from which amount the salaries and expenses of thirteen inspectors in the department of the district police who are to be transferred to the board of labor and industries may be paid from June first.

1913, 157, § 1, amended.

Section one of chapter one hundred and fifty-seven of the acts of the present year is hereby amended by striking out the words "the sum of four hundred forty-six thousand eight hundred eighty-nine dollars and thirty-four cents is", in the first and second lines, and inserting in place thereof the words: — the sums hereinafter mentioned are.

Inspectors of gas and electric light commissioners.

For salaries of certain inspectors in the department of the board of gas and electric light commissioners, as authorized by chapter three hundred and seventeen of the acts of the present year, a sum not exceeding four hundred dollars, to be paid out of the Gas and Electric Light Commissioners Fund.

Pensions to families of metropolitan park police.

For pensions and annuities to widows and children of police officers of the metropolitan park commission, as authorized by chapter five hundred and forty-five of the acts of the present year, a sum not exceeding three hundred dollars, to be paid from the Metropolitan Parks Maintenance Fund.

Printing public documents.

For printing public documents made necessary by chapter five hundred and ninety-six of the acts of the present year, a sum not exceeding one thousand dollars, the same to be in addition to any amount heretofore appropriated for this purpose.

Developments in Boston harbor.

For certain developments in and around Boston harbor, as authorized by chapter six hundred and thirty-five of the acts of the present year, a sum not exceeding twenty-five thousand dollars.

For pensions of certain veterans in the service of the Soldiers' Home in Massachusetts, as authorized by chapter six hundred and forty-two of the acts of the present year, a sum not exceeding five hundred dollars. Pensions for certain veterans.

For the salary of the secretary of the trustees of the hospitals for consumptives, as authorized by chapter seven hundred and sixty-two of the acts of the present year, a sum not exceeding two hundred and thirty-seven dollars. Secretary of trustees of hospitals for consumptives.

For the salaries and expenses of agents incidental to suitably aiding mothers with dependent children, as authorized by chapter seven hundred and sixty-three of the acts of the present year, a sum not exceeding four thousand dollars. Agents for aiding mothers with dependent children.

For the commonwealth's proportion of the cost of reconstructing the turnpike bridge over Parker river in the town of Newbury, as authorized by chapter seven hundred and sixty-eight of the acts of the present year, a sum not exceeding twelve thousand two hundred and fifty dollars. Bridge over Parker river.

For the construction and improvement of a highway between the towns of Ware and West Brookfield, as authorized by chapter seven hundred and seventy-six of the acts of the present year, a sum not exceeding ten thousand dollars, the same to be in addition to any amount heretofore appropriated for this purpose. Construction of certain highway.

For salaries and other expenses of the public service commission, as authorized by chapter seven hundred and eighty-four of the acts of the present year, a sum not exceeding seventy-five thousand dollars. Public service commission.

For the improvement of the channel of Sachem brook in the city of Quincy, as authorized by chapter seven hundred and eighty-nine of the acts of the present year, a sum not exceeding three hundred dollars, to be paid from the Metropolitan Parks Maintenance Fund. Sachem brook.

For increases of salaries for certain assistant registers of probate and insolvency, as authorized by chapter seven hundred and ninety-one of the acts of the present year, as follows: For the county of Berkshire, the sum of one hundred sixteen dollars and sixty-five cents; for the county of Middlesex, the sum of one hundred and forty dollars; and for the county of Suffolk, the sum of one hundred eighty-six dollars and sixty-seven cents, severally to be in addition to the amounts heretofore appropriated for these purposes. Assistant registers of probate and insolvency.

For salaries in the office of the tax commissioner, as authorized by chapter seven hundred and ninety-two of the Salaries in office of tax commissioner.

acts of the present year, as follows: For the second deputy, the sum of thirteen hundred fifty-eight dollars and thirty-three cents; for the first clerk, the sum of one hundred and thirty-six dollars; and for three supervisors, the sum of six hundred and eighty dollars, severally to be in addition to any amounts heretofore appropriated for these purposes.

Board of elevator regulations.

For expenses of the board of elevator regulations, as authorized by chapter eight hundred and six of the acts of the present year, a sum not exceeding fifteen hundred dollars.

Compensation of certain public employees for injuries.

For compensating certain public employees for injuries sustained in the course of their employment, as authorized by chapter eight hundred and seven of the acts of the present year, a sum not exceeding five thousand dollars.

Expenses of building commission.

For expenses of the commission to investigate the regulations now in force relative to the construction, alteration and maintenance of buildings, as authorized by chapter eight hundred and nine of the acts of the present year, a sum not exceeding twenty-five hundred dollars.

Prevention of industrial accidents.

For expenses necessary to prevent industrial accidents and occupational diseases, as authorized by chapter eight hundred and thirteen of the acts of the present year, as follows: For salaries and expenses of six inspectors to be employed by the industrial accident board, a sum not exceeding six thousand dollars, and for necessary expenses of the joint board of industrial accident and labor and industries, a sum not exceeding five thousand dollars.

Additional fire inspectors.

For the appointment of two additional fire inspectors for the detective department of the district police, as authorized by chapter eight hundred and sixteen of the acts of the present year, as follows: For salaries, thirteen hundred dollars, and for expenses, five hundred dollars, severally to be in addition to any amounts heretofore appropriated for these purposes.

Board of parole.

For salaries and expenses of the board of parole, as authorized by chapter eight hundred and twenty-nine of the acts of the present year, a sum not exceeding ten thousand dollars.

Highway commissioners.

For salaries of the highway commissioners, as authorized by chapter seven hundred and eighty-four of the acts of the present year, a sum not exceeding twenty-one hundred dollars, the same to be in addition to any amount heretofore appropriated for this purpose.

Teachers' retirement system.

For expenses of making preliminary arrangements on account of the establishment of a retirement system for

public school teachers, as authorized by chapter eight hundred and thirty-two of the acts of the present year, a sum not exceeding twenty-five hundred dollars.

Salaries of district police.

For increases in salaries of certain members of the district police, as authorized by chapter eight hundred and thirty-four of the acts of the present year, a sum not exceeding seven thousand dollars.

Investigation of ice situation.

For expenses of the attorney-general in making an investigation of the ice situation as ordered by the house of representatives, a sum not exceeding five thousand dollars, the same to be in addition to the amount heretofore appropriated for the expenses of his department.

Legislative bulletin.

For printing and editing the legislative bulletin, a sum not exceeding five hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose.

Section 2. This act shall take effect upon its passage.

[*Approved June 20, 1913.*

RESOLVES.

RESOLVE TO CONFIRM THE ACTS OF RALPH W. ROBBINS AS A NOTARY PUBLIC. *Chap.* 1

Resolved, That the acts of Ralph W. Robbins of Leominster, as a notary public, between the twentieth day of September and the eighteenth day of December in the year nineteen hundred and twelve, are hereby confirmed and made valid to the same extent as if during that time he had been qualified to discharge the duties of the said office.

Acts of Ralph W. Robbins, notary public, confirmed.

Approved January 29, 1913.

RESOLVE TO PROVIDE FOR PRINTING THE REPORT OF THE CONNECTICUT VALLEY WATERWAY BOARD. *Chap.* 2

Resolved, That there be allowed and paid out of the treasury of the commonwealth a sum not exceeding five hundred dollars for the purpose of printing the report of the Connecticut Valley waterway board, appointed under the provisions of chapter one hundred and forty-nine of the resolves of the year nineteen hundred and twelve, the printing to include maps, statistical tables and other data appended to said report.

Printing report of Connecticut Valley waterway board.

Approved February 4, 1913.

RESOLVE IN FAVOR OF THE TOWN OF WESTFORD. *Chap.* 3

Resolved, That there be allowed and paid out of the treasury of the commonwealth to the town of Westford the sum of two hundred and sixteen dollars, to reimburse the town for one half of the expenditure incurred under the provisions of law in furnishing military aid to James H. Hall of Westford, during the period from November, nineteen hundred and ten, to October, nineteen hundred and twelve, both inclusive.

Town of Westford.

Approved February 8, 1913.

Chap. 4 RESOLVE RELATIVE TO THE COMMISSION APPOINTED TO INVESTIGATE THE SUBJECT OF WATER SUPPLIES FOR THE CITIES OF SALEM, BEVERLY AND WOBURN AND FOR CERTAIN TOWNS.

Time for making report extended.

Resolved, That the time in which the commission appointed to investigate the subject of water supplies for the cities of Salem, Beverly and Woburn, and for certain towns, shall report to the general court on the subject-matter contained in chapter eighty-five of the resolves of the year nineteen hundred and twelve, is hereby extended to the first day of March in the year nineteen hundred and thirteen, and said commission may expend in connection with their investigation a sum not exceeding twenty-five hundred dollars, the same to be in addition to the amount authorized by chapter seven hundred and eighteen of the acts of the year nineteen hundred and twelve.

Additional expenditure.

Approved February 10, 1913.

Chap. 5 RESOLVE TO CONFIRM THE ACTS OF AUGUSTUS F. ARNOLD AS A JUSTICE OF THE PEACE.

Acts of Augustus F. Arnold, justice of the peace, confirmed.

Resolved, That the acts of Augustus F. Arnold as a justice of the peace, between the twenty-first day of November and the fourth day of December, in the year nineteen hundred and twelve, are hereby confirmed and made valid, to the same extent as if during that time he had been qualified to discharge the duties of the said office.

Approved February 11, 1913.

Chap. 6 RESOLVE TO CONFIRM THE ACTS OF WILLIAMS B. BROOKS, JUNIOR, AS A JUSTICE OF THE PEACE.

Acts of Williams B. Brooks, Junior, justice of the peace, confirmed.

Resolved, That the acts of Williams B. Brooks, Junior, of Milton, as a justice of the peace, between the seventeenth day of February in the year nineteen hundred and eleven and the thirty-first day of December in the year nineteen hundred and twelve, are hereby confirmed and made valid, to the same extent as if during that time he had been qualified to discharge the duties of the said office.

Approved February 14, 1913.

RESOLVE PROVIDING FOR THE ACCEPTANCE BY THE COMMONWEALTH OF A BRONZE MEMORIAL TABLET AND A BUST OF JOHN HANCOCK. *Chap.* 7

Acceptance of memorial tablet and bust of John Hancock.

Resolved, That the bronze memorial tablet and the bronze bust of John Hancock reproduced from the original statue in the capitol at Washington, proposed to be presented to the commonwealth by the Society of Sons of the Revolution in the Commonwealth of Massachusetts, are hereby accepted, to be placed in the state house in some appropriate situation to be approved by the art commission for the commonwealth: *provided,* that said tablet and bust are approved by the said art commission.

Proviso.

Approved February 14, 1913.

RESOLVE TO PROVIDE FOR THE PRINTING AND DISTRIBUTION OF THE REPORT OF THE COMMISSION TO STUDY THE QUESTION OF THE SUPPORT OF DEPENDENT MINOR CHILDREN OF WIDOWED MOTHERS. *Chap.* 8

Report of commission on study of question of support of dependent minor children of widowed mothers.

Resolved, That the secretary of the commonwealth shall cause to be printed four thousand copies of a bound report of the commission appointed to study the question of the support of dependent minor children of widowed mothers, including the draft of an act submitted by the commission. The reports shall be distributed as follows:—one thousand copies for the use of the commission; two copies to each member of the present general court; two copies to the governor; two copies to the lieutenant governor and to each member of the council; two copies to the treasurer and receiver general; two copies to the auditor of the commonwealth; two copies to the attorney-general; two copies to the clerk of the senate, and to the clerk of the house of representatives; one copy to each of the legislative reporters in the senate and in the house of representatives; and the remaining copies to be distributed by the secretary of the commonwealth in his discretion.

Approved February 17, 1913.

RESOLVE RELATIVE TO EXPENDITURES BY HEADS OF DEPARTMENTS AND OTHER OFFICIALS OF THE COMMONWEALTH. *Chap.* 9

Expenditures by heads of departments, etc.

Resolved, That the heads of departments and other officials having supervision or charge of expenditures in behalf of

the commonwealth for which no appropriations have been made are hereby authorized to continue the said departments and expenditures until appropriations are made therefor, or until the pleasure of the present general court in respect thereto is otherwise made known.

Approved February 18, 1913.

Chap. 10 RESOLVE IN FAVOR OF THE SOLDIERS' HOME IN MASSACHUSETTS.

Soldiers' Home.

Resolved, That there be allowed and paid out of the treasury of the commonwealth to the Trustees of the Soldiers' Home in Massachusetts the sum of ninety-two thousand dollars, to be paid in equal quarterly instalments, beginning on the first day of February, nineteen hundred and thirteen; but all amounts so paid shall be subject to the approval of the governor and council. *Approved February 24, 1913.*

Chap. 11 RESOLVE TO AUTHORIZE THE PUBLICATION OF THE OPINIONS OF THE ATTORNEY-GENERAL.

Publication of opinions of attorney-general.

Resolved, That the attorney-general is hereby authorized to collect and publish in a volume properly indexed and digested such of the official opinions heretofore published as an appendix to the annual reports of the attorney-general during the years nineteen hundred and six to nineteen hundred and twelve, inclusive, as he may deem to be of public interest or useful for reference. Two hundred copies may be distributed under the direction of the attorney-general, one copy shall be sent to each member and officer of the general court for the year nineteen hundred and thirteen and to each public and law library in the commonwealth, and the remainder may be sold or otherwise disposed of at the discretion of the secretary of the commonwealth. A sum not exceeding twenty-five hundred dollars may be expended in carrying out the provisions of this resolve.

Approved February 24, 1913.

Chap. 12 RESOLVE TO CONFIRM THE ACTS OF DANFORTH W. COMINS AS A NOTARY PUBLIC.

Acts of Danforth W. Comins, notary public, confirmed.

Resolved, That the acts of Danforth W. Comins as a notary public, between the fourth day of October and the eleventh day of December, in the year nineteen hundred and

twelve, are hereby confirmed and made valid, to the same extent as if during that time he had been qualified to discharge the duties of the said office.

Approved February 24, 1913.

RESOLVE TO CONFIRM THE ACTS OF BENJAMIN A. PATCH AS A NOTARY PUBLIC. *Chap.* 13

Acts of Benjamin A. Patch, notary public, confirmed.

Resolved, That the acts of Benjamin A. Patch of Beverly, as a notary public, between the twenty-seventh day of December in the year nineteen hundred and twelve and the eighth day of January in the year nineteen hundred and thirteen, are hereby confirmed and made valid, to the same extent as if during that time he had been qualified to discharge the duties of the said office.

Approved February 24, 1913.

RESOLVE TO AUTHORIZE THE STATE BOARD OF CHARITY TO PREPARE AND PUBLISH A MANUAL OF LAWS CONCERNING THE CHARITIES OF THE COMMONWEALTH. *Chap.* 14

Manual of laws concerning charities of the commonwealth.

Resolved, That the state board of charity is hereby authorized to prepare and publish a manual of laws concerning the charities of the commonwealth, and may expend for this purpose, a sum not exceeding six hundred dollars.

Approved February 26, 1913.

RESOLVE IN FAVOR OF CHARLES F. PIDGIN. *Chap.* 15

Charles F. Pidgin.

Resolved, That there be paid to Charles F. Pidgin, annually for a period of five years, provided that he so long survives, the sum of five hundred dollars, in monthly instalments, in recognition of his faithful service as chief clerk in the bureau of statistics of labor from the year eighteen hundred and seventy-three to the year nineteen hundred and three, and as chief of the said bureau from the year nineteen hundred and three to the year nineteen hundred and seven.

Approved February 26, 1913.

RESOLVE TO PROVIDE FOR THE EXPENSE OF MAKING AN INDEX TO THE WAR AND MILITIA RECORDS IN THE ARCHIVES OF THE ADJUTANT GENERAL. *Chap.* 16

Index to war and militia records.

Resolved, That there be allowed and paid out of the treasury of the commonwealth, a sum not exceeding twenty-five

hundred dollars, to be expended under the direction of the adjutant general in making an index to the war and militia records in the archives of the office of the adjutant general.

Approved February 26, 1913.

Chap. 17 RESOLVE TO PROVIDE FOR THE DISTRIBUTION OF THE EDITION OF THE RECORDS OF THE MILITIA WHICH RESPONDED TO THE CALL OF THE GOVERNOR OF THE COMMONWEALTH TO REPEL A THREATENED INVASION DURING THE WAR OF 1812.

Distribution of edition of records of militia, war of 1812.

Resolved, That the edition of the records of the militia which responded to the call of the governor of the commonwealth to repel a threatened invasion during the war of 1812, as authorized by chapter eighty-one of the resolves of the year nineteen hundred and twelve, be distributed by the secretary of the commonwealth as follows: — One hundred copies to the adjutant general of Maine; five copies to the adjutant general of Massachusetts; fifty copies to the adjutants general of states, districts, and territories; two copies to the Boston Athenæum; two copies each to the colleges in Massachusetts; five copies to the congressional library; eighteen copies to the law libraries in Massachusetts; five copies to the Massachusetts Society of the War of 1812; fifty copies to the state library, for purposes of exchange with other libraries; five copies to the navy department library at Washington; nine copies to the normal schools in Massachusetts; five copies to the bureau of pensions library at Washington; two copies each to the public libraries of cities in Massachusetts; one copy each to the public libraries of towns in Massachusetts; forty-eight copies to the various state libraries; fifteen copies to the state societies of the war of 1812, upon application therefor; five copies to the war department library at Washington. The remaining copies to be deposited with and sold by the secretary of the commonwealth at not less than the cost thereof, upon application. Any amount received from sales shall be paid into the treasury of the commonwealth.

Approved February 26, 1913.

Chap. 18 RESOLVE IN FAVOR OF THE ADMINISTRATRIX OF THE ESTATE OF THE LATE MICHAEL LONDERGAN.

Administratrix of estate of Michael Londergan.

Resolved, That there be allowed and paid out of the treasury of the commonwealth to Mary A. McLaughlin, adminis-

tratrix of Michael Londergan, late of Boston, the sum of eighty-nine dollars and forty-eight cents, the same having been deposited with the treasurer and receiver general by Theodore H. Tyndale as public administrator, who first administered said estate. *Approved February 26, 1913.*

RESOLVE TO CONFIRM THE ACTS OF LLEWELLYN E. PULSIFER AS A JUSTICE OF THE PEACE. *Chap.* 19

Acts of Llewellyn E. Pulsifer, justice of the peace, confirmed.

Resolved, That the acts of Llewellyn E. Pulsifer of Natick, as a justice of the peace, between the twentieth day of September and the fourteenth day of November, in the year nineteen hundred and twelve, are hereby confirmed and made valid, to the same extent as if during that time he had been qualified to discharge the duties of the said office.

Approved February 26, 1913.

RESOLVE IN FAVOR OF ANDREW F. REED. *Chap.* 20

Andrew F. Reed.

Resolved, That there be allowed and paid from the treasury of the commonwealth to Andrew F. Reed of Boston, the sum of twenty-three dollars and fifteen cents, being the amount of an overpayment erroneously made by him to the treasurer of the commonwealth as taxes due upon business transacted by him under an insurance license.

Approved March 6, 1913.

RESOLVE IN FAVOR OF THE EXECUTOR OF THE WILL OF MARY I. CRAM. *Chap.* 21

Calvin M. Cram.

Resolved, That there be allowed and paid out of the treasury of the commonwealth to Calvin M. Cram, executor of the will of the late Mary I. Cram of Newton, the sum of seventy-seven dollars and twenty-one cents, this sum having erroneously been paid into the treasury of the commonwealth on account of a legacy tax.

Approved March 6, 1913.

RESOLVE TO PROVIDE FOR FURTHER INVESTIGATION BY THE STATE BOARD OF HEALTH OF INFANTILE PARALYSIS. *Chap.* 22

Investigation of infantile paralysis.

Resolved, That there be allowed and paid out of the treasury of the commonwealth the sum of ten thousand dollars, to

be expended under the direction of the state board of health in its investigation of the disease known as anterior poliomyelitis or infantile paralysis. *Approved March 6, 1913.*

Chap. 23 RESOLVE IN FAVOR OF THE MASSACHUSETTS CHARITABLE EYE AND EAR INFIRMARY.

Massachusetts Charitable Eye and Ear Infirmary.

Resolved, That there be allowed and paid out of the treasury of the commonwealth to the Massachusetts Charitable Eye and Ear Infirmary the sum of forty-five thousand dollars, to be expended under the direction of the managers thereof for the charitable purposes of the infirmary during the year nineteen hundred and thirteen. *Approved March 6, 1913.*

Chap. 24 RESOLVE IN FAVOR OF THE NEW ENGLAND INDUSTRIAL SCHOOL FOR DEAF MUTES.

New England Industrial School for Deaf Mutes.

Resolved, That there be allowed and paid out of the treasury of the commonwealth to the New England Industrial School for Deaf Mutes, upon the approval of the board of education, the sum of thirty-five hundred dollars, to be expended under the direction of the trustees of the said school for the educational purposes of the school for the year nineteen hundred and thirteen. The trustees shall report to the board of education the expenditures made under authority of this resolve. *Approved March 6, 1913.*

Chap. 25 RESOLVE IN FAVOR OF SHEPHERD M. CRAIN.

Shepherd M. Crain.

Resolved, That there be allowed and paid out of the treasury of the commonwealth to Shepherd M. Crain the sum of seventeen dollars and sixty cents, said sum being the amount of an overpayment to the commonwealth for a special insurance license. *Approved March 6, 1913.*

Chap. 26 RESOLVE TO DIRECT THE BOARD OF EDUCATION TO INVESTIGATE THE ADVISABILITY OF ESTABLISHING COLLEGIATE COURSES IN NORMAL SCHOOLS AND IN SECONDARY SCHOOLS.

Investigation of advisability of establishing collegiate courses in normal schools, etc.

Resolved, That the board of education is hereby authorized and directed to investigate the advisability and the probable cost of establishing in the normal schools of the commonwealth, and in secondary schools maintained by cities and towns, a curriculum in collegiate subjects leading to a degree.

The board shall report to the general court not later than the second day of June, in the current year, and shall accompany its report with the draft of any legislation which the board may recommend. *Approved March 6, 1913.*

RESOLVE IN FAVOR OF CERTAIN OFFICERS OF COMPANY I, SIXTH REGIMENT OF THE MASSACHUSETTS VOLUNTEER MILITIA. *Chap.* 27

Resolved, That there be allowed and paid out of the treasury of the commonwealth to Captain R. B. Peterson and Lieutenant M. J. Dee, of company I, of the sixth regiment of the Massachusetts volunteer militia, the sum of seventy-five dollars each, to be used by them in procuring new uniforms and equipment to take the place of the uniforms and equipment destroyed by fire on the seventeenth day of December, in the year nineteen hundred and twelve. Captain R. B. Peterson and Lieutenant M. J. Dee.

Approved March 19, 1913.

RESOLVES TO PROVIDE FOR SUBMITTING TO THE PEOPLE THE ARTICLE OF AMENDMENT OF THE CONSTITUTION MAKING WOMEN ELIGIBLE AS NOTARIES PUBLIC. *Chap.* 28

Resolved, That the following article of amendment of the constitution, having been agreed to by the last and present general court and published in the manner required by the constitution, be submitted to the people for their ratification and adoption: — Proposed article of amendment to constitution submitted to the people.

ARTICLE OF AMENDMENT.

Article four of the articles of amendment of the constitution of the commonwealth is hereby amended by adding thereto the following words: — Women shall be eligible to appointment as notaries public. Article of amendment.

Resolved, That the people shall be assembled for the purpose aforesaid, in their respective polling places in the several cities and towns in meetings to be legally warned, and held on Tuesday, the fourth day of November next, at which meetings all persons qualified to vote for state officers may give in their votes by ballot for or against said article of amendment; and the same officers shall preside in said meetings as in meetings for the choice of state officers, and shall, in open meetings, receive, sort, count and declare the votes for and against the said article of amendment; and the said Vote upon article, etc.

Vote upon article of amendment to constitution, etc.

votes shall be recorded by the clerks of the cities and towns, and true returns thereof shall be made out under the hands of the mayor and aldermen or board having the powers of aldermen, and of the selectmen, or a major part of them, and of the clerks of the cities and towns, respectively, and sealed up, and, within ten days after the said meetings, transmitted to the secretary of the commonwealth. So far as the same can be made applicable, the provisions of law applicable to the election of state officers shall apply to the taking of the vote on said article of amendment.

Resolved, That every person qualified to vote as aforesaid may express his opinion on said article of amendment, and the following words shall be printed on the ballot: —

Question upon ballot.

Shall the proposed amendment to the constitution, making women eligible to appointment as notaries public, be approved and ratified?

YES.	
NO.	

And if said article shall appear to be approved by a majority of the persons voting thereon, it shall be deemed and taken to be ratified and adopted by the people.

Examination of returns of votes, etc.

Resolved, That his excellency the governor and the council shall forthwith open and examine the votes returned as aforesaid; and if it shall appear that said article of amendment has been approved by a majority of the persons voting thereon, according to the votes returned and certified as aforesaid, the same shall be enrolled on parchment and deposited in the secretary's office as a part of the constitution of the commonwealth, and shall be published in immediate connection therewith, numbered according to its numerical position, with the articles of amendment of the constitution heretofore adopted, in all future editions of the laws of the commonwealth printed by public authority.

Governor to issue proclamation.

Resolved, That his excellency the governor be, and he hereby is, authorized and requested to issue his proclamation forthwith after the examination of the votes returned as aforesaid, reciting said article of amendment and announcing that said article has been duly adopted and ratified by the people of the commonwealth, and thus becomes a part of the constitution thereof, and requiring all magistrates and officers and all citizens of the commonwealth to take notice thereof and govern themselves accordingly, or that said article of amendment has been rejected, as the case may be.

Approved March 19, 1913.

RESOLVE TO CONFIRM CERTAIN ACTS OF J. FRANK DRAKE AS A NOTARY PUBLIC. *Chap.* 29

Acts of J. Frank Drake, notary public, confirmed.

Resolved, That the acts of J. Frank Drake of Springfield, as a notary public, between the fifteenth day of November in the year nineteen hundred and twelve, and the thirteenth day of February in the year nineteen hundred and thirteen, are hereby confirmed and made valid, to the same extent as if during that time he had been qualified to discharge the duties of the said office. *Approved March 21, 1913.*

RESOLVE TO PROVIDE FOR CERTAIN EXPENSES OF THE ASSOCIATION OF JUSTICES OF DISTRICT, POLICE AND MUNICIPAL COURTS. *Chap.* 30

Expenses of association of justices of district, police and municipal courts.

Resolved, That there be allowed and paid out of the treasury of the commonwealth a sum not exceeding five hundred dollars, for printing, typewriting, stationery and postage, to be expended under the direction of the executive committee of the association of justices of district, police and municipal courts of Massachusetts in unifying and improving the practice and forms of procedure in said courts.

Approved March 21, 1913.

RESOLVE TO PROVIDE FOR REIMBURSING THE OLD COLONY RAILROAD COMPANY FOR RENT PAID FOR THE COMMONWEALTH PIER PROPERTY AFTER THE TERMINATION OF ITS OBLIGATION TO PAY RENT. *Chap.* 31

Reimbursement of Old Colony Railroad Company for certain expense.

Resolved, That there be allowed and paid out of the Port of Boston Fund by the treasurer and receiver general the sum of eleven thousand six hundred sixty-six dollars and sixty-seven cents as a repayment to the Old Colony Railroad Company of rent paid for the Commonwealth pier property for the months of July and August, in the year nineteen hundred and twelve, under the provisions of a lease dated the first day of November, nineteen hundred and ten, the obligation to pay said rent having been terminated on the first of July, nineteen hundred and twelve, by the provisions of an agreement or contract executed by the directors of the port of Boston and the Old Colony Railroad Company, the New York, New Haven and Hartford Railroad Company, lessee of the Old Colony Railroad Company, and the Boston and Maine Railroad. *Approved March 21, 1913.*

Chap. 32 RESOLVE TO PROVIDE FOR THE REPRESENTATION OF THE COMMONWEALTH AT THE FIFTIETH ANNIVERSARY OF THE BATTLE OF GETTYSBURG.

Fiftieth anniversary of the battle of Gettysburg.

Resolved, That there be allowed and paid out of the treasury of the commonwealth a sum not exceeding two thousand five hundred dollars, to be expended by the sergeant-at-arms under the direction of the governor and council, to enable the commonwealth to be represented at Gettysburg, in the state of Pennsylvania, during the first four days of July in the present year, on the occasion of the commemoration of the fiftieth anniversary of the battle of Gettysburg.

The commonwealth shall be represented by the following officials: — His excellency the governor or his honor the lieutenant governor, two members of the executive council, two members of the governor's staff, the president of the senate, the speaker of the house of representatives, the clerk of the senate, the clerk of the house of representatives, the joint committee on military affairs, the sergeant-at-arms, the doorkeeper of the senate, the doorkeeper of the house of representatives, and the commission appointed by the governor under chapter eighty-six of the resolves of the year nineteen hundred and twelve to make preliminary arrangements for the participation of Massachusetts in the commemoration. *Approved March 21, 1913.*

Chap. 33 RESOLVE TO EXTEND THE TIME WITHIN WHICH THE DIRECTORS OF THE PORT OF BOSTON ARE REQUIRED TO REPORT UPON THE USE OF WATER TERMINALS AND RAILROAD CONNECTIONS.

Time for making certain report by the directors of the port of Boston extended.

Resolved, That the time within which the directors of the port of Boston are required by chapter one hundred and fourteen of the resolves of the year nineteen hundred and twelve to report upon the possibility of operating the water front terminals in the port of Boston as a union terminal for railroads and vessels, is hereby extended until the tenth day of January, in the year nineteen hundred and fourteen. *Approved March 26, 1913.*

Chap. 34 RESOLVE TO AUTHORIZE THE PAYMENT OF AN ANNUITY TO ELBRIDGE G. GIGGER.

Elbridge G. Gigger.

Resolved, That there be allowed and paid out of the treasury of the commonwealth to the selectmen of the town of

Gardner an annuity of three hundred dollars to be expended by the selectmen for the benefit of Elbridge G. Gigger, son of the late Elbridge Gigger, a member of the Hassanamisco tribe of Indians, for the rest of his natural life, beginning with the first day of January in the year nineteen hundred and thirteen, and payable in equal quarterly instalments. Chapter twenty of the resolves of the year nineteen hundred and nine is hereby repealed. *Approved March 28, 1913.*

Resolve to provide for the printing and distribution of the special report of the board of education relative to retirement allowances for public school teachers. *Chap.* 35

Special report of board of education.

Resolved, That there be allowed and paid out of the treasury of the commonwealth a sum not exceeding fifty dollars for printing, in an edition of three thousand copies, the special report of the board of education under chapter forty-seven of the resolves of the year nineteen hundred and eleven, on the subject of teachers' retirement allowances, the same to be distributed by the board of education.

Approved March 28, 1913.

Resolve granting an annuity to Samantha Talbot and Delia A. Daley. *Chap.* 36

Samantha Talbot and Delia A. Daley.

Resolved, That there be allowed and paid out of the treasury of the commonwealth an annuity of one hundred and fifty dollars, for a term of five years, to Samantha Talbot and Delia A. Daley, children of the late Eli and Saloma Burr, members of the Oneida tribe of Indians.

Approved March 28, 1913.

Resolve to provide for the preparation, advertising and issuance of bonds of the commonwealth. *Chap.* 37

Preparation and sale of state bonds, etc.

Resolved, That there be allowed and paid out of the treasury of the commonwealth in the present fiscal year, under the direction of the treasurer and receiver general, a sum not exceeding twelve hundred dollars for the purpose of preparing and advertising sales of state bonds and for the preparation and payment of bond books. *Approved March 28, 1913.*

Chap. 38 RESOLVE TO PROVIDE FOR CERTAIN IMPROVEMENTS AT THE MASSACHUSETTS HOSPITAL SCHOOL.

Massachusetts hospital school.

Resolved, That there be allowed and paid out of the treasury of the commonwealth the following sums for improvements at the Massachusetts hospital school, to be expended under the direction of the trustees thereof: — For an independent water supply, procured by means of a drilled well or otherwise, a water tank, tower and pumping apparatus, a sum not exceeding seven thousand dollars; and for constructing a barn to hold forty cows, a sum not exceeding three thousand dollars. *Approved March 28, 1913.*

Chap. 39 RESOLVE TO PROVIDE FOR THE IMPROVEMENT AND CARE OF THE BURIAL PLACE OF CHARLES HOLBROOK OF WAYLAND.

Care of burial place of Charles Holbrook.

Resolved, That there be allowed and paid from the treasury of the commonwealth, from the Escheated Estates Fund, the sum of four hundred dollars, to be expended by the trustees of Lakeview cemetery, in the town of Wayland, for the improvement and perpetual care of the burial place in that cemetery of Charles Holbrook of Wayland, who died without heirs in the year eighteen hundred and eighty-six, and whose estate, amounting to thirty-seven hundred dollars, became the property of the commonwealth: *provided,* that the said trustees shall give to the auditor of the commonwealth a certificate that they accept the money for the perpetual care of the said burial place.

Proviso.

Approved March 29, 1913.

Chap. 40 RESOLVE TO PROVIDE FOR A STUDY OF THE TRAFFIC AND METHODS OF ACCOUNTING OF THE NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY.

Study of operations, etc., of New England Telephone and Telegraph Company.

Resolved, That the Massachusetts highway commission is hereby directed to cause to be made a further study of the operations and methods of accounting and of the rates, charges and service of the New England Telephone and Telegraph Company, especially that part of its operations which are within the commonwealth. Vouchers for expenses incurred under the provisions of this resolve shall be filed with the auditor of the commonwealth and paid out of the treasury of the commonwealth in the same manner in which other claims are paid, and the auditor shall certify each

Payment of expenses.

month the amount of the said expenses to the treasurer and receiver general, who shall collect the same monthly from the New England Telephone and Telegraph Company. The total expense incurred under this resolve shall not exceed the sum of seven thousand five hundred dollars: *provided*, that, if the regulation of telephone and telegraph rates is transferred to any other board or commission, any unexpended balance of the said amount may be expended by such other board or commission for the same purposes for which it could have been expended by the Massachusetts highway commission. *Approved April 2, 1913.*

Proviso.

RESOLVE GRANTING A COUNTY TAX FOR THE COUNTY OF BARNSTABLE. *Chap.* 41

Resolved, That the following sums are hereby appropriated for the expenses of the county of Barnstable for the year nineteen hundred and thirteen: —

County tax, Barnstable.

For interest on county debt, a sum not exceeding one thousand five hundred dollars.

For reduction of county debt, a sum not exceeding two thousand dollars.

For salaries of county officers and assistants, fixed by law, a sum not exceeding six thousand five hundred dollars.

For clerical assistance in county offices, a sum not exceeding two thousand dollars.

For salaries and expenses of district and police courts, a sum not exceeding seven thousand dollars.

For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, a sum not exceeding six thousand dollars.

For criminal costs in the superior court, a sum not exceeding four thousand five hundred dollars.

For civil expenses in the supreme judicial and superior courts, a sum not exceeding three thousand five hundred dollars.

For transportation expenses of county and associate commissioners, a sum not exceeding eight hundred dollars.

For medical examiners, inquests, and commitments of the insane, a sum not exceeding one thousand dollars.

For auditors, masters and referees, a sum not exceeding seven hundred dollars.

For repairing, furnishing and improving county buildings, a sum not exceeding four thousand five hundred dollars.

County tax, Barnstable.

For fuel, lights and supplies in county buildings, other than jails and houses of correction, and for care of the same, a sum not exceeding two thousand three hundred dollars.

For highways, including state highways, bridges and land damages, a sum not exceeding fourteen thousand five hundred dollars.

For miscellaneous and contingent expenses of the current year, a sum not exceeding two hundred dollars.

And the county commissioners of said county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of forty-five thousand dollars, to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes. *Approved April 2, 1913.*

Chap. 42 RESOLVE GRANTING A COUNTY TAX FOR THE COUNTY OF BERKSHIRE.

County tax, Berkshire.

Resolved, That the following sums are hereby appropriated for the expenses of the county of Berkshire for the year nineteen hundred and thirteen: —

For interest on county debt, a sum not exceeding four thousand dollars.

For reduction of county debt, a sum not exceeding ten thousand dollars.

For salaries of county officers and assistants, fixed by law, a sum not exceeding thirteen thousand five hundred dollars.

For clerical assistance in county offices, a sum not exceeding five thousand dollars.

For salaries and expenses of district and police courts, a sum not exceeding twenty-five thousand dollars.

For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, a sum not exceeding twenty-seven thousand five hundred dollars.

For criminal costs in the superior court, a sum not exceeding seven thousand dollars.

For civil expenses in the supreme judicial and superior courts, a sum not exceeding eight thousand five hundred dollars.

For transportation expenses of county and associate commissioners, a sum not exceeding two hundred dollars.

For medical examiners, inquests, and commitments of the insane, a sum not exceeding three thousand five hundred dollars.

For auditors, masters and referees, a sum not exceeding one thousand five hundred dollars. County tax, Berkshire.

For repairing, furnishing and improving county buildings, a sum not exceeding seven thousand dollars.

For fuel, lights and supplies in county buildings, other than jails and houses of correction, and for care of the same, a sum not exceeding six thousand dollars.

For highways, including state highways, bridges and land damages, a sum not exceeding forty thousand dollars.

For law libraries, a sum not exceeding one thousand dollars.

For training school, a sum not exceeding one thousand five hundred dollars.

For miscellaneous and contingent expenses of the current year, a sum not exceeding two thousand dollars.

For the care and maintenance of the Greylock state reservation, a sum not exceeding two thousand dollars.

For the care and maintenance of the Mount Everett state reservation, a sum not exceeding two thousand five hundred dollars.

And the county commissioners of said county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of one hundred forty-nine thousand three hundred three dollars and eleven cents, to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes. *Approved April 2, 1913.*

Resolve granting a county tax for the county of Bristol. *Chap.* 43

Resolved, That the following sums are hereby appropriated for the expenses of the county of Bristol for the year nineteen hundred and thirteen: — County tax, Bristol.

For interest on county debt, a sum not exceeding forty-one thousand five hundred dollars.

For reduction of county debt, a sum not exceeding fifty thousand dollars.

For salaries of county officers and assistants, fixed by law, a sum not exceeding twenty-seven thousand dollars.

For clerical assistance in county offices, a sum not exceeding eighteen thousand five hundred dollars.

For salaries and expenses of district and police courts, a sum not exceeding forty-three thousand dollars.

County tax, Bristol.

For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, a sum not exceeding ninety-eight thousand dollars.

For criminal costs in the superior court, a sum not exceeding twenty thousand dollars.

For civil expenses in the supreme judicial and superior courts, a sum not exceeding twenty-one thousand dollars.

For transportation expenses of county and associate commissioners, a sum not exceeding seven hundred dollars.

For medical examiners, inquests, and commitments of the insane, a sum not exceeding ten thousand dollars.

For auditors, masters and referees, a sum not exceeding one thousand five hundred dollars.

For repairing, furnishing and improving county buildings, a sum not exceeding fifteen thousand dollars.

For fuel, lights and supplies in county buildings, other than jails and houses of correction, and for care of the same, a sum not exceeding thirty-two thousand five hundred dollars.

For highways, including state highways, bridges and land damages, a sum not exceeding eleven thousand dollars.

For law libraries, a sum not exceeding five thousand dollars.

For training school, a sum not exceeding eight thousand dollars.

For pensions, a sum not exceeding one thousand dollars.

For miscellaneous and contingent expenses of the current year, a sum not exceeding three thousand dollars.

For agricultural school, a sum not exceeding eight thousand dollars.

And the county commissioners of said county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of three hundred and fifty-three thousand dollars, to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes.

Approved April 2, 1913.

Chap. 44 RESOLVE GRANTING A COUNTY TAX FOR THE COUNTY OF DUKES COUNTY.

County tax, Dukes County.

Resolved, That the following sums are hereby appropriated for the expenses of the county of Dukes County for the year nineteen hundred and thirteen: —

For interest on county debt, a sum not exceeding fifty dollars.

For salaries of county officers and assistants, fixed by law, a sum not exceeding two thousand two hundred dollars. County tax, Dukes County.

For clerical assistance in county offices, a sum not exceeding five hundred dollars.

For salaries and expenses of district and police courts, a sum not exceeding one thousand dollars.

For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, a sum not exceeding five hundred dollars.

For criminal costs in the superior court, a sum not exceeding five hundred dollars.

For civil expenses in the supreme judicial and superior courts, a sum not exceeding nine hundred dollars.

For transportation expenses of county and associate commissioners, a sum not exceeding fifty dollars.

For medical examiners, inquests, and commitments of the insane, a sum not exceeding two hundred dollars.

For auditors, masters and referees, a sum not exceeding two hundred dollars.

For repairing, furnishing and improving county buildings, a sum not exceeding five hundred dollars.

For fuel, lights and supplies in county buildings, other than jails and houses of correction, and for care of the same, a sum not exceeding seven hundred dollars.

For highways, including state highways, bridges and land damages, a sum not exceeding two thousand five hundred dollars.

For miscellaneous and contingent expenses of the current year, a sum not exceeding six hundred dollars.

And the county commissioners of said county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of eight thousand eight hundred dollars, to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes.

Approved April 2, 1913.

RESOLVE GRANTING A COUNTY TAX FOR THE COUNTY OF ESSEX. *Chap.* 45

Resolved, That the following sums are hereby appropriated for the expenses of the county of Essex for the year nineteen hundred and thirteen: — County tax, Essex.

For interest on county debt, a sum not exceeding fifty-two thousand dollars.

County tax, Essex.

For reduction of county debt, a sum not exceeding eighty-two thousand five hundred dollars.

For salaries of county officers and assistants, fixed by law, a sum not exceeding thirty-seven thousand five hundred dollars.

For clerical assistance in county offices, a sum not exceeding thirty-six thousand five hundred dollars.

For salaries and expenses of district and police courts, a sum not exceeding seventy-five thousand dollars.

For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, a sum not exceeding sixty-five thousand dollars.

For criminal costs in the superior court, a sum not exceeding fifty thousand dollars.

For civil expenses in the supreme judicial and superior courts, a sum not exceeding forty thousand dollars.

For trial justices, a sum not exceeding nine thousand dollars.

For transportation expenses of county and associate commissioners, a sum not exceeding one thousand five hundred dollars.

For medical examiners, inquests, and commitments of the insane, a sum not exceeding twelve thousand dollars.

For auditors, masters and referees, a sum not exceeding five thousand dollars.

For building county buildings, a sum not exceeding twenty-five thousand dollars.

For repairing, furnishing and improving county buildings, a sum not exceeding twenty thousand dollars.

For fuel, lights and supplies in county buildings, other than jails and houses of correction, and for care of the same, a sum not exceeding forty thousand dollars.

For highways, including state highways, bridges and land damages, a sum not exceeding ninety-eight thousand dollars.

For law libraries, a sum not exceeding six thousand dollars.

For training school, a sum not exceeding thirty-one thousand dollars.

For miscellaneous and contingent expenses of the current year, a sum not exceeding three thousand eighty-one dollars and fifty-one cents.

For pensions, a sum not exceeding three thousand dollars.

And the county commissioners of said county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of six hundred and twelve thousand eight hundred dollars, to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes.

Approved April 2, 1913.

RESOLVE GRANTING A COUNTY TAX FOR THE COUNTY OF FRANKLIN. *Chap.* 46

County tax, Franklin.

Resolved, That the following sums are hereby appropriated for the expenses of the county of Franklin for the year nineteen hundred and thirteen: —

For interest on county debt, a sum not exceeding one thousand dollars.

For salaries of county officers and assistants, fixed by law, a sum not exceeding seven thousand four hundred and fifty dollars.

For clerical assistance in county offices, a sum not exceeding two thousand six hundred dollars.

For salaries and expenses of district and police courts, a sum not exceeding nine thousand dollars.

For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, a sum not exceeding thirteen thousand dollars.

For criminal costs in the superior court, a sum not exceeding three thousand five hundred dollars.

For civil expenses in the supreme judicial and superior courts, a sum not exceeding six thousand dollars.

For transportation expenses of county and associate commissioners, a sum not exceeding two hundred dollars.

For medical examiners, inquests, and commitments of the insane, a sum not exceeding one thousand four hundred dollars.

For auditors, masters and referees, a sum not exceeding seven hundred dollars.

For repairing, furnishing and improving county buildings, a sum not exceeding one thousand dollars.

For fuel, lights and supplies in county buildings, other than jails and houses of correction, and for care of the same, a sum not exceeding four thousand dollars.

For highways, including state highways, bridges and land damages, a sum not exceeding nineteen thousand dollars.

County tax, Franklin.

For law libraries, a sum not exceeding one thousand dollars.

For miscellaneous and contingent expenses of the current year, a sum not exceeding one thousand three hundred thirty-five dollars and thirty-five cents.

For Mount Sugar Loaf reservation, a sum not exceeding one thousand five hundred dollars.

And the county commissioners of said county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of sixty-five thousand dollars, to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes. *Approved April 2, 1913.*

Chap. 47 RESOLVE GRANTING A COUNTY TAX FOR THE COUNTY OF HAMPDEN.

County tax, Hampden.

Resolved, That the following sums are hereby appropriated for the expenses of the county of Hampden for the year nineteen hundred and thirteen: —

For interest on county debt, a sum not exceeding fifteen thousand dollars.

For reduction of county debt, a sum not exceeding twenty thousand dollars.

For salaries of county officers and assistants, fixed by law, a sum not exceeding twenty thousand dollars.

For clerical assistance in county offices, a sum not exceeding fourteen thousand dollars.

For salaries and expenses of district and police courts, a sum not exceeding thirty-two thousand dollars.

For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, a sum not exceeding thirty-eight thousand dollars.

For criminal costs in the superior court, a sum not exceeding thirteen thousand dollars.

For civil expenses in the supreme judicial and superior courts, a sum not exceeding thirteen thousand dollars.

For trial justices, a sum not exceeding five hundred dollars.

For transportation expenses of county and associate commissioners, a sum not exceeding eight hundred dollars.

For medical examiners, inquests, and commitments of the insane, a sum not exceeding seven thousand dollars.

For auditors, masters and referees, a sum not exceeding four thousand dollars.

For repairing, furnishing and improving county buildings, a sum not exceeding fifteen thousand dollars. County tax, Hampden.

For fuel, lights and supplies in county buildings, other than jails and houses of correction, and for care of the same, a sum not exceeding eighteen thousand dollars.

For highways, including state highways, bridges and land damages, a sum not exceeding twenty-five thousand dollars.

For law libraries, a sum not exceeding three thousand dollars.

For training school, a sum not exceeding seven thousand dollars.

For pensions, a sum not exceeding five hundred dollars.

For miscellaneous and contingent expenses of the current year, a sum not exceeding seven thousand eight hundred ninety-five dollars and seventy-one cents.

For the care and maintenance of the Mount Tom state reservation, a sum not exceeding four thousand five hundred dollars.

And the county commissioners of said county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of two hundred and twenty-two thousand dollars, to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes.

Approved April 2, 1913.

RESOLVE GRANTING A COUNTY TAX FOR THE COUNTY OF HAMPSHIRE. *Chap.* 48

Resolved, That the following sums are hereby appropriated for the expenses of the county of Hampshire for the year nineteen hundred and thirteen: — County tax, Hampshire.

For salaries of county officers and assistants, fixed by law, a sum not exceeding ten thousand dollars.

For clerical assistance in county offices, a sum not exceeding four thousand two hundred dollars.

For salaries and expenses of district and police courts, a sum not exceeding eleven thousand five hundred dollars.

For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, a sum not exceeding fifteen thousand dollars.

For criminal costs in the superior court, a sum not exceeding five thousand dollars.

For civil expenses in the supreme judicial and superior

County tax, Hampshire.

courts, a sum not exceeding four thousand five hundred dollars.

For transportation expenses of county and associate commissioners, a sum not exceeding five hundred dollars.

For medical examiners, inquests, and commitments of the insane, a sum not exceeding two thousand dollars.

For auditors, masters and referees, a sum not exceeding one thousand dollars.

For repairing, furnishing and improving county buildings, a sum not exceeding three thousand dollars.

For fuel, lights and supplies in county buildings, other than jails and houses of correction, and for care of the same, a sum not exceeding six thousand dollars.

For highways, bridges and land damages, a sum not exceeding fifteen thousand dollars.

For law libraries, a sum not exceeding one thousand dollars.

For training school, a sum not exceeding five hundred dollars.

For miscellaneous and contingent expenses of the current year, a sum not exceeding one thousand five hundred dollars.

For Mount Tom and Deer Hill reservations, a sum not exceeding one thousand and twenty-five dollars.

And the county commissioners of said county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of fifty-seven thousand four hundred ninety-two dollars and ninety-five cents, to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes. *Approved April 2, 1913.*

Chap. 49 RESOLVE GRANTING A COUNTY TAX FOR THE COUNTY OF MIDDLESEX.

County tax, Middlesex.

Resolved, That the following sums are hereby appropriated for the expenses of the county of Middlesex for the year nineteen hundred and thirteen: —

For interest on county debt, a sum not exceeding twenty-eight thousand dollars.

For reduction of county debt, a sum not exceeding fifty thousand dollars.

For salaries of county officers and assistants, fixed by law, a sum not exceeding forty-two thousand dollars.

For clerical assistance in county offices, a sum not exceeding eighty thousand dollars. County tax, Middlesex.

For salaries and expenses of district and police courts, a sum not exceeding one hundred thousand dollars.

For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, a sum not exceeding one hundred and forty-six thousand dollars.

For criminal costs in the superior court, a sum not exceeding forty thousand dollars.

For civil expenses in the supreme judicial and superior courts, a sum not exceeding ninety thousand dollars.

For trial justices, a sum not exceeding four thousand dollars.

For transportation expenses of county and associate commissioners, a sum not exceeding one thousand five hundred dollars.

For medical examiners, inquests, and commitments of the insane, a sum not exceeding twenty-two thousand dollars.

For auditors, masters and referees, a sum not exceeding ten thousand dollars.

For repairing, furnishing and improving county buildings, a sum not exceeding thirty-five thousand dollars.

For fuel, lights and supplies in county buildings, other than jails and houses of correction, and for care of the same, a sum not exceeding sixty-two thousand dollars.

For highways, including state highways, bridges and land damages, a sum not exceeding sixty-five thousand dollars.

For law libraries, a sum not exceeding seven thousand dollars.

For training schools, a sum not exceeding forty thousand dollars.

For miscellaneous and contingent expenses of the current year, a sum not exceeding six thousand five hundred dollars.

For pensions, a sum not exceeding eight thousand dollars.

And the county commissioners of said county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of six hundred fifty-eight thousand nine hundred seventy-eight dollars and eighty cents, to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes. *Approved April 2, 1913.*

Chap. 50 RESOLVE GRANTING A COUNTY TAX FOR THE COUNTY OF NORFOLK.

County tax, Norfolk.

Resolved, That the following sums are hereby appropriated for the expenses of the county of Norfolk for the year nineteen hundred and thirteen: —

For interest on county debt, a sum not exceeding thirteen thousand dollars.

For reduction of county debt, a sum not exceeding thirty-two thousand dollars.

For salaries of county officers and assistants, fixed by law, a sum not exceeding twenty-one thousand dollars.

For clerical assistance in county offices, a sum not exceeding twenty-six thousand dollars.

For salaries and expenses of district and police courts, a sum not exceeding forty-one thousand dollars.

For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, a sum not exceeding thirty-two thousand dollars.

For criminal costs in the superior court, a sum not exceeding twenty thousand dollars.

For civil expenses in the supreme judicial and superior courts, a sum not exceeding twenty-two thousand dollars.

For transportation expenses of county and associate commissioners, a sum not exceeding one thousand dollars.

For medical examiners, inquests, and commitments of the insane, a sum not exceeding six thousand dollars.

For auditors, masters and referees, a sum not exceeding four thousand dollars.

For repairing, furnishing and improving county buildings, a sum not exceeding five thousand dollars.

For fuel, lights and supplies in county buildings other than jails and houses of correction, and for care of the same, a sum not exceeding twenty-eight thousand dollars.

For highways, including state highways, bridges and land damages, a sum not exceeding thirty-eight thousand dollars.

For training school, a sum not exceeding four thousand dollars.

For pensions, a sum not exceeding one thousand dollars.

For miscellaneous and contingent expenses of the current year, a sum not exceeding three thousand seven hundred sixty-five dollars and forty-two cents.

And the county commissioners of said county are hereby authorized to levy as the county tax of said county for the

current year, in the manner provided by law, the sum of two hundred and fifty thousand dollars, to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes.

Approved April 2, 1913.

RESOLVE GRANTING A COUNTY TAX FOR THE COUNTY OF PLYMOUTH. *Chap.* 51

County tax, Plymouth.

Resolved, That the following sums are hereby appropriated for the expenses of the county of Plymouth for the year nineteen hundred and thirteen: —

For interest on county debt, a sum not exceeding eleven thousand dollars.

For reduction of county debt, a sum not exceeding thirty-nine thousand nine hundred two dollars and twelve cents.

For salaries of county officers and assistants, fixed by law, a sum not exceeding thirteen thousand six hundred dollars.

For clerical assistance in county offices, a sum not exceeding eight thousand five hundred dollars.

For salaries and expenses of district and police courts, a sum not exceeding twenty-five thousand dollars.

For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, a sum not exceeding thirty-one thousand dollars.

For criminal costs in the superior court, a sum not exceeding twenty-two thousand dollars.

For civil expenses in the supreme judicial and superior courts, a sum not exceeding twelve thousand five hundred dollars.

For transportation expenses of county and associate commissioners, a sum not exceeding four hundred dollars.

For medical examiners, inquests, and commitments of the insane, a sum not exceeding five thousand dollars.

For auditors, masters and referees, a sum not exceeding one thousand seven hundred dollars.

For repairing, furnishing and improving county buildings, a sum not exceeding three thousand five hundred dollars.

For fuel, lights and supplies in county buildings, other than jails and houses of correction, and for care of the same, a sum not exceeding five thousand dollars.

For highways, including state highways, bridges and land damages, a sum not exceeding nine thousand five hundred dollars.

County tax, Plymouth.

For training school, a sum not exceeding two thousand five hundred dollars.

For pensions, a sum not exceeding three hundred and sixty dollars.

For miscellaneous and contingent expenses of the current year, a sum not exceeding seven thousand seven hundred forty-four dollars and forty-two cents.

And the county commissioners of said county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of one hundred and eighty thousand dollars, to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes.

Approved April 2, 1913.

Chap. 52 RESOLVE GRANTING A COUNTY TAX FOR THE COUNTY OF WORCESTER.

County tax, Worcester.

Resolved, That the following sums are hereby appropriated for the expenses of the county of Worcester for the year nineteen hundred and thirteen: —

For interest on county debt, a sum not exceeding four thousand dollars.

For salaries of county officers and assistants, fixed by law, a sum not exceeding thirty-two thousand dollars.

For clerical assistance in county offices, a sum not exceeding thirty-five thousand dollars.

For salaries and expenses of district and police courts, a sum not exceeding sixty-five thousand dollars.

For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, a sum not exceeding seventy thousand dollars.

For criminal costs in the superior court, a sum not exceeding thirty-three thousand dollars.

For civil expenses in the supreme judicial and superior courts, a sum not exceeding thirty-three thousand dollars.

For trial justices, a sum not exceeding one thousand two hundred dollars.

For transportation expenses of county and associate commissioners, a sum not exceeding one thousand two hundred dollars.

For medical examiners, inquests, and commitments of the insane, a sum not exceeding twelve thousand dollars.

For auditors, masters and referees, a sum not exceeding five thousand dollars.

For building county buildings, a sum not exceeding five thousand dollars. County tax, Worcester.

For repairing, furnishing and improving county buildings, a sum not exceeding fifteen thousand dollars.

For fuel, lights and supplies in county buildings, other than jails and houses of correction, and for care of the same, a sum not exceeding twenty-eight thousand dollars.

For highways, including state highways, bridges and land damages, a sum not exceeding thirty-five thousand dollars.

For law libraries, a sum not exceeding five thousand five hundred dollars.

For training school, a sum not exceeding thirteen thousand dollars.

For pensions, a sum not exceeding seven hundred dollars.

For Wachusett Mountain reservation, a sum not exceeding ten thousand dollars.

For miscellaneous and contingent expenses of the current year, a sum not exceeding eight thousand three hundred dollars.

And the county commissioners of said county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of three hundred and twenty-five thousand dollars, to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes.

Approved April 2, 1913.

RESOLVE IN FAVOR OF ALFRED PARENTEAU. *Chap.* 53

Resolved, That there be allowed and paid out of the treasury of the commonwealth to Alfred Parenteau of Springfield the sum of four hundred dollars annually for the term of five years, payable in equal quarterly instalments, in consideration of his long and faithful service as an employee of the commonwealth, and of the severe and incurable injuries which he received in the course of that employment. Alfred Parenteau.

Approved April 2, 1913.

RESOLVE IN FAVOR OF JOHN O'CONNOR, JUNIOR. *Chap.* 54

Resolved, That there be allowed and paid out of the treasury of the commonwealth to John O'Connor, Junior, of Framingham, a sum not exceeding ninety-four dollars and seventy-five cents, in full compensation for injuries sustained by him on or about the fifteenth day of November John O'Connor, Junior.

in the year nineteen hundred and twelve, while he was engaged in the performance of his duties at the state arsenal at Framingham. *Approved April 10, 1913.*

Chap. 55 RESOLVE IN FAVOR OF RICHARD F. CORRIGAN.

Richard F. Corrigan.

Resolved, That there be allowed and paid out of the treasury of the commonwealth an annuity of one hundred and fifty dollars to Richard F. Corrigan of Everett, in full compensation for a permanent injury received by him while in the discharge of militia duty at Fort Standish, Boston harbor, on the fourteenth day of July, nineteen hundred and eleven, as a member of the seventh company, coast artillery corps, Massachusetts volunteer militia. Said annuity shall begin on the first day of January in the year nineteen hundred and thirteen, shall be paid quarterly, and shall continue for the term of five years should the annuitant so long survive. *Approved April 10, 1913.*

Chap. 56 RESOLVE TO PROVIDE FOR A NEW ARMORY IN THE TOWN OF CONCORD.

Construction of new armory in the town of Concord.

Resolved, That there be allowed and paid out of the treasury of the commonwealth a sum not exceeding fifty-five thousand dollars, to be expended by the armory commissioners in accordance with the provisions of section one hundred and thirty-three of chapter six hundred and four of the acts of the year nineteen hundred and eight as amended by chapter three hundred and twenty-three of the acts of the year nineteen hundred and nine and by chapter six hundred and sixty-five of the acts of the year nineteen hundred and twelve, for building and equipping an armory in the town of Concord to replace the armory recently destroyed in part by fire; and the treasurer and receiver general is hereby directed to issue bonds for the said sum, in accordance with the provisions of section one hundred and thirty-three of said chapter six hundred and four.

Approved April 10, 1913.

Chap. 57 RESOLVE TO PROVIDE FOR AN INVESTIGATION RELATIVE TO THE LAYING OUT AS A STATE HIGHWAY OF NORTH BEACON STREET IN THE CITY OF BOSTON AND THE TOWN OF WATERTOWN.

Investigation as to the laying out of

Resolved, That the Massachusetts highway commission is hereby authorized to investigate and report to the gen-

eral court not later than January fifteenth in the year nineteen hundred and fourteen as to the advisability and probable expense to the commonwealth of taking, constructing and maintaining as a state highway, at a width of not less than seventy feet, North Beacon street in the city of Boston and the town of Watertown, from that part of Boston called Union square, Allston, to that part of Watertown called Watertown square, and the commission may expend a sum not exceeding five hundred dollars for carrying out the provisions of this resolve. *Approved April 10, 1913.*

North Beacon street as a state highway.

RESOLVE TO PROVIDE FOR ADDITIONAL COPIES OF THE REPORT OF THE SUPERVISOR OF LOAN AGENCIES. *Chap.* 58

Resolved, That the secretary of the commonwealth shall cause to be printed one thousand additional copies of the report of the supervisor of loan agencies, to be distributed by the said supervisor. *Approved April 10, 1913.*

Report of supervisor of loan agencies.

RESOLVE TO EXTEND THE TIME FOR FILING THE REPORT OF THE MERRIMAC VALLEY WATERWAY BOARD AND TO PROVIDE FOR THE CONTINUANCE OF THE INVESTIGATION RELATIVE TO THE MERRIMAC RIVER. *Chap.* 59

Resolved, That the time allowed for the filing of the report of the Merrimac Valley waterway board by chapter seven hundred and eight of the acts of the year nineteen hundred and twelve, providing for an investigation of the development of the Merrimac river, is hereby extended to the second Wednesday of January in the year nineteen hundred and fourteen, and the term of office of said board is hereby extended to the first day of February in the year nineteen hundred and fourteen. *Approved April 14, 1913.*

Time for filing report extended.

RESOLVE TO PROVIDE FOR THE COMPLETION OF CERTAIN IMPROVEMENTS AT THE STATE NORMAL SCHOOL AT HYANNIS. *Chap.* 60

Resolved, That there be allowed and paid out of the treasury of the commonwealth a sum not exceeding four hundred dollars to be expended under the direction of the state board of education in completing the additions to the heat and power plant at the state normal school at Hyannis as authorized by chapter one hundred and twenty-six of the resolves of the year nineteen hundred and twelve.

Approved April 17, 1913.

Improvements at state normal school at Hyannis.

Chap. 61 RESOLVE TO PROVIDE FOR AN INVESTIGATION RELATIVE TO THE PUBLICATION OF A MANUAL UPON THE AMERICAN FLAG.

Investigation relative to publication of a manual upon the American flag.

Resolved, That the board of education is hereby authorized and directed to investigate the matter of publishing a book or manual upon the American flag containing a history of the flag and such other matter as the board may consider proper, for the purpose of furnishing copies to teachers in the public schools of the commonwealth and of directing that instructions from the book be given to pupils in such grades of the public schools as the school committees of the several cities and towns may determine. The board shall report to the general court on or before the fifteenth day of January in the year nineteen hundred and fourteen, stating the probable cost of publishing and distributing the book, and making such recommendations for legislation, if any, as it may deem expedient. *Approved April 21, 1913.*

Chap. 62 RESOLVE IN ADDITION TO A RESOLVE GRANTING A COUNTY TAX FOR THE COUNTY OF PLYMOUTH.

Addition to county tax for the county of Plymouth.

Resolved, That a sum not exceeding twenty thousand dollars is hereby appropriated to meet the expenses of the county of Plymouth for the year nineteen hundred and thirteen, made necessary by the action of the grand jury of the county of Plymouth in connection with the death of Admiral Joseph Giles Eaton, and the county commissioners are hereby authorized to levy as a part of the county tax of the county for the current year, in the manner provided by law, the sum of twenty thousand dollars in addition to any amount heretofore authorized.

Approved April 21, 1913.

Chap. 63 RESOLVE TO PROVIDE FURTHER FOR THE DISTRIBUTION OF THE EDITION OF THE RECORDS OF THE MILITIA WHICH RESPONDED TO THE CALL OF THE GOVERNOR DURING THE WAR OF EIGHTEEN HUNDRED AND TWELVE.

Distribution of militia records of war of 1812.

Resolved, That, in addition to the distribution of the edition of the records of the militia which responded to the call of the governor of the commonwealth to repel a threatened invasion during the war of eighteen hundred and twelve, as authorized by chapter seventeen of the re-

solves of the present year, the following distribution shall be made in the manner provided by the said chapter, viz.: — One copy to each military, naval or other historical society within the commonwealth, upon application therefor.

Approved April 21, 1913.

RESOLVE TO PROVIDE FOR AN INVESTIGATION OF THE WHITE SLAVE TRAFFIC, SO-CALLED. *Chap.* 64

Investigation of white slave traffic, so-called.

Resolved, That the governor, with the advice and consent of the council, shall appoint a commission of five persons, one of whom shall be designated as chairman, and not more than two of whom shall be residents of any one county, to investigate the white slave traffic, so-called, and to determine, so far as is possible, by what means and to what extent women and girls are induced or compelled by others to lead an immoral life, or are brought into this commonwealth or from place to place for that purpose. The commission shall endeavor to devise plans for preventing such evils as it finds to exist, and shall report to the general court not later than the tenth day of January, in the year nineteen hundred and fourteen, with such drafts of bills as may be necessary to carry its recommendations into effect. The commission may give public hearings, if it deems them necessary, and shall have authority to administer oaths, and to require the attendance of witnesses and the production of books and documents. The commission shall serve without compensation, but shall be allowed from the treasury of the commonwealth such sums for its necessary expenses as may be approved by the governor and council not exceeding ten thousand dollars. *Approved April 21, 1913.*

RESOLVE TO PROVIDE FOR REIMBURSING THE TOWN OF WESTFIELD FOR THE SUPPORT OF SAMUEL POWERS. *Chap.* 65

Reimbursement of town of Westfield for support of Samuel Powers.

Resolved, That there be allowed and paid out of the treasury of the commonwealth to the town of Westfield the sum of two hundred twenty-six dollars and seventy cents, being the amount paid by said town through an error, for the support of Samuel Powers at the state infirmary from October twenty-seventh, in the year nineteen hundred and ten to April thirtieth, in the year nineteen hundred and twelve.

Approved April 22, 1913.

Chap. 66 RESOLVE TO PROVIDE FURTHER FOR THE EXPENSES OF THE BOARD OF COMMISSIONERS FOR THE PROMOTION OF UNIFORMITY OF LEGISLATION IN THE UNITED STATES.

Expenses of board of commissioners for promotion of uniformity of legislation in United States.

Resolved, That to provide for the necessary expenses of the board of commissioners for the promotion of uniformity of legislation in the United States, appointed under authority of chapter four hundred and sixteen of the acts of the year nineteen hundred and nine, there be allowed and paid out of the treasury of the commonwealth a sum not exceeding five hundred dollars, in addition to the amount authorized by section five of said chapter four hundred and sixteen.

Approved April 22, 1913.

Chap. 67 RESOLVE TO PROVIDE FOR THE TRANSPORTATION AND OTHER EXPENSES OF THE VETERAN SOLDIERS AND OTHER PERSONS WHO ARE TO TAKE PART IN THE CELEBRATION OF THE FIFTIETH ANNIVERSARY OF THE BATTLE OF GETTYSBURG.

Transportation, etc., of veterans taking part in celebration of fiftieth anniversary of battle of Gettysburg.

Resolved, That there be allowed and paid out of the treasury of the commonwealth a sum not exceeding thirty thousand dollars to provide for the transportation, from their homes to Gettysburg and return, of all veteran soldiers now residing in the commonwealth who were members of any organization which took part in the battle of Gettysburg, or were in the reserve at the rear of the Round Tops, or were with General French at Monocacy bridge near Frederick, Maryland, during the battle of Gettysburg, on the first, second and third days of July in the year eighteen hundred and sixty-three; also for the transportation of those veteran soldiers now living at the National Soldiers' Home in Togus, Maine, who were residents of Massachusetts at the time of their admission to the home and were members of an organization which took part in the battle of Gettysburg, or were in the reserve as aforesaid; also for the transportation of any members of the Confederate army now living in the commonwealth, who were engaged in the said battle; also for the transportation of those members of the Massachusetts commission on the celebration of the fiftieth anniversary of the battle of Gettysburg who are not included among the veterans above designated; and also for box lunches for all veterans of the civil war going to or returning from Gettysburg on special trains provided by said com-

mission. The surgeon general of Massachusetts is hereby authorized and instructed to provide such a medical staff as he may consider necessary to accompany the veterans to Gettysburg on the special trains to look after any veteran who may be sick or need medical care on the railroad journey: *provided, however,* that transportation shall be furnished only to those veterans who make application for the same on or before the first day of May in the year nineteen hundred and thirteen; and *provided, further,* that no bills shall be paid under the authority of this resolve until they are approved by a majority of the said commission and by the governor and council. *Approved April 26, 1913.*

Provisos.

RESOLVE TO PROVIDE FOR AN INVESTIGATION RELATIVE TO THE ADVISABILITY OF ERECTING A MILITARY MONUMENT ON THE BATTLEFIELD OF GETTYSBURG. *Chap.* 68

Resolved, That there be appointed by the governor a commission consisting of three persons who shall investigate and report to the next general court on the advisability and cost of erecting a suitable monument on the battlefield of Gettysburg, Pennsylvania, in memory of the soldiers from Massachusetts who lost their lives on that battlefield during the civil war. The commission shall serve without pay, but may be allowed a sum not exceeding five hundred dollars for its expenses, upon bills approved by the governor and council. *Approved April 26, 1913.*

Investigation relative to erection of monument on the battlefield at Gettysburg.

RESOLVE TO PROVIDE FOR INVESTIGATING THE ADVISABILITY OF CONSTRUCTING A STATION FOR THE WASHINGTON STREET TUNNEL AT OR NEAR BENNET STREET IN THE CITY OF BOSTON. *Chap.* 69

Resolved, That the Boston transit commission shall investigate the desirability and practicability, and estimate the cost, of constructing a station for the Washington street tunnel in the city of Boston at or near Bennet street. The commission may give public hearings, if it deems them necessary, and shall report to the next general court on or before the tenth day of January.

Approved April 26, 1913.

Investigation as to construction of station for Washington street tunnel at Bennet street.

Chap. 70 RESOLVE RELATIVE TO AN INVESTIGATION AND A REPORT BY THE BOARD OF COMMISSIONERS ON FISHERIES AND GAME RELATIVE TO PHEASANTS.

Investigation as to habits of pheasants.

Resolved, That the board of commissioners on fisheries and game is hereby directed to make an investigation as to the habits of those birds commonly known as pheasants, which have been brought into this commonwealth, with special reference to the damage alleged to have been caused by them to crops, planted fields, and other property, and further to determine if the food of these pheasants consists in part of insects, especially of the so-called brown tail and gypsy moths. The said board shall report the results of this investigation to the general court not later than the first day of January, nineteen hundred and fourteen.

Approved April 26, 1913.

Chap. 71 RESOLVE TO PROVIDE FOR CANCELLING A DEBT OF THE NEW BEDFORD TEXTILE SCHOOL.

Cancellation of debt of the New Bedford textile school.

Resolved, That there be allowed and paid out of the treasury of the commonwealth the sum of seventeen thousand five hundred dollars, to be expended by the trustees of the New Bedford textile school for the cancellation of a debt incurred by them for completing and equipping the last addition to the buildings of the school made in the years nineteen hundred and ten and nineteen hundred and eleven.

Approved April 26, 1913.

Chap. 72 RESOLVE TO PROVIDE FOR THE MAINTENANCE OF THE BRADFORD DURFEE TEXTILE SCHOOL OF FALL RIVER.

Maintenance of The Bradford Durfee Textile School of Fall River.

Resolved, That there be allowed and paid out of the treasury of the commonwealth to the trustees of The Bradford Durfee Textile School of Fall River, the sum of forty thousand five hundred dollars for the purposes of the said school:

Proviso.

provided, that no part of this sum shall be paid until satisfactory evidence is furnished to the auditor of the commonwealth that an additional sum of eight thousand dollars has been paid to said trustees by the city of Fall River or has been received by them from other sources, for the year nineteen hundred and thirteen, and that a further sum of four thousand dollars is to be received by said trustees from the same or from other sources prior to July first, nineteen hundred and fourteen, — that being the period of time

to which this appropriation is intended to apply. The city of Fall River is hereby authorized to raise by taxation and pay to said trustees such sum of money, not exceeding twelve thousand dollars, as may be necessary, together with that received from other sources, to obtain the amount authorized by this resolve. *Approved April 26, 1913.*

RESOLVE TO PROVIDE FOR THE APPOINTMENT OF COMMISSIONERS TO REPRESENT THE COMMONWEALTH AT THE SOUTHERN COMMERCIAL CONGRESS. *Chap.* 73

Representation of the commonwealth at the Southern Commercial Congress.

Resolved, That the governor is hereby authorized and requested to appoint two competent persons as commissioners to represent the commonwealth at the session of the Southern Commercial Congress to be held during the summer months of the current year at the International Institute of Agriculture in the city of Rome, Italy. For the purpose of defraying the expenses of said commissioners, there shall be allowed and paid out of the treasury of the commonwealth a sum not exceeding twenty-four hundred dollars. *Approved April 28, 1913.*

RESOLVE TO PROVIDE FOR REIMBURSING THE CITY OF NORTHAMPTON FOR THE SUPPORT OF SMITH'S AGRICULTURAL SCHOOL AND NORTHAMPTON SCHOOL OF INDUSTRIES. *Chap.* 74

Reimbursement of city of Northampton for support of certain schools.

Resolved, That the sum of eighty-five hundred twelve dollars and thirty-eight cents be allowed and paid out of the treasury of the commonwealth from the ordinary revenue, to the city of Northampton for the maintenance and support of Smith's agricultural school and Northampton school of industries, in accordance with the provisions of chapter five hundred and five of the acts of the year nineteen hundred and six. *Approved May 2, 1913.*

RESOLVE TO PROVIDE FOR THE EMPLOYMENT OF EXPERT ASSISTANCE TO AID IN THE ENFORCEMENT OF THE STATUTES RELATIVE TO EXPLOSIVES AND INFLAMMABLE FLUIDS AND COMPOUNDS. *Chap.* 75

Enforcement of laws relative to explosives, etc.

Resolved, That there may be expended from the treasury of the commonwealth by the chief of the district police, a sum not exceeding twenty-five hundred dollars for the employment of expert assistance to aid in the enforcement of the statutes relative to explosives and inflammable fluids and compounds. *Approved May 2, 1913.*

Chap. 76 RESOLVE TO PROVIDE FOR AN INVESTIGATION OF THE SUBJECT OF INDUSTRIAL HOMES FOR VAGRANTS AND OTHERS.

Investigation of subject of industrial homes.

Resolved, That the state board of charity shall investigate the subject of industrial homes for vagrants, outcasts and others, which shall be wholly or partly self-supporting. The board shall investigate the operation of Self Masters' Colony at Union, New Jersey, and the similar institution at Cleveland, Ohio, and a member or agent of the board may visit the said institutions and other institutions of like nature if the board deems it advisable. The board shall report to the general court on or before the second Monday of January in the year nineteen hundred and fourteen, with such recommendations for legislation, if any, as it may deem expedient. *Approved May 2, 1913.*

Chap. 77 RESOLVE TO PROVIDE FOR THE APPOINTMENT OF A COMMISSION ON IMMIGRATION.

Commission on immigration, appointment, duties, etc.

Resolved, That the governor, with the advice and consent of the council, shall, within thirty days after the passage of this resolve, appoint five persons, citizens of the commonwealth, one of whom shall be designated as chairman, who shall constitute a commission on immigration. Said commission shall make a full investigation of the status and general condition of immigrants within the commonwealth, including their way of living, distribution, occupation, educational opportunities and business opportunities and facilities, and also their relation to the industrial, social and economic condition of all the people of the commonwealth. The commission is further authorized to procure information regarding such laws or agencies of the federal government and of other state governments as affect immigrants after their admission to the United States. The investigations of the commission shall be made with a view to obtaining information for the enactment of such laws as will bring non-English speaking foreigners, resident or transient, into sympathetic relation with American institutions and customs. The commission shall be provided with suitable quarters in the state house or elsewhere, and is hereby authorized to require the attendance of persons and the production of papers respecting all matters pertaining to the subject of their inquiry. The members of the commission shall serve without compensation, but the commis-

sion may employ all necessary clerical or other assistance, and may incur such other reasonable expenses, in the performance of its duties, including travelling expenses, as may be approved by the governor and council. The total expense to be incurred under this resolve shall not exceed the sum of fifteen thousand dollars. The commission shall report its findings, together with any recommendations based thereon, in print to the general court, on or before the second Wednesday of January in the year nineteen hundred and fourteen. *Approved May 2, 1913.*

RESOLVE RELATIVE TO THE CONSTRUCTION OF A TUNNEL BETWEEN THE CITIES OF BOSTON AND CHELSEA. *Chap.* 78

Construction of tunnel between cities of Boston and Chelsea.

Resolved, That the Boston transit commission shall estimate the cost of constructing a tunnel and subway for the use of trolley cars, with a double track, between the city of Boston and the city of Chelsea. The commission shall report which would be the better route, in its judgment, either from the present subway in Haymarket square by the way of Charlestown, or from the present subway in Scollay square running under the harbor directly to the city of Chelsea, and shall state the probable cost of the tunnel and subway by each route and the feasibility of the construction thereof. The commission shall report to the general court on or before the tenth day of January, nineteen hundred and fourteen. The expense incident to the said investigation shall be borne equally by the city of Boston and the city of Chelsea. *Approved May 8, 1913.*

RESOLVE IN FAVOR OF CHARLES P. GEER OF SOMERVILLE. *Chap.* 79

Compensation to be paid to Charles P. Geer.

Resolved, That Charles P. Geer, now of Somerville, be allowed and paid during his lifetime, out of the Metropolitan Parks Maintenance Fund, in full compensation for injuries received by him while employed by the metropolitan park commission at the bath-house at Revere beach reservation on July thirteenth, in the year nineteen hundred and ten, compensation at the rate of seven dollars per week: *provided, however,* that when the payments hereunder shall amount to the sum of three thousand dollars, the said compensation shall cease.

Proviso.

Approved May 8, 1913.

Chap. 80 RESOLVE GRANTING AN ANNUITY TO LUCY A. GILBERT OF NORTHAMPTON.

Lucy A. Gilbert.

Resolved, That there be allowed and paid out of the treasury of the commonwealth to Lucy A. Gilbert of Northampton an annuity of two hundred dollars, payable in equal quarterly instalments, during her life, she having been for more than forty years an employee of the Taunton and Northampton state hospitals and being now disabled from further service.

Approved May 8, 1913.

Chap. 81 RESOLVE RELATIVE TO AN OVERPAYMENT MADE TO THE CITY OF MEDFORD ON ACCOUNT OF A STREET RAILWAY FRANCHISE TAX.

City of Medford to pay to the commonwealth amount of overpayment of certain street railway franchise tax.

Resolved, That the city of Medford is hereby authorized and directed to pay to the commonwealth the sum of ten thousand three hundred ninety-three dollars and ninety-two cents, said sum representing the amount of an overpayment of street railway franchise tax made to the city of Medford on November fifteenth, nineteen hundred and ten. The said amount shall be raised by taxation by the city of Medford in the year nineteen hundred and thirteen, and shall be paid to the treasurer and receiver general on or before the fifteenth day of November, nineteen hundred and thirteen, and shall be credited to the Metropolitan Parks Sinking Fund, Series Two. *Approved May 8, 1913.*

Chap. 82 RESOLVE TO PROVIDE FOR THE PURCHASE OF LAND FOR THE STATE NORMAL SCHOOL AT HYANNIS.

Purchase of land for state normal school at Hyannis.

Resolved, That there be allowed and paid out of the treasury of the commonwealth a sum not exceeding fifty-two hundred dollars, to be expended under the direction of the board of education for the purchase of land for the state normal school at Hyannis. *Approved May 8, 1913.*

Chap. 83 RESOLVE TO PROVIDE FOR AN EXAMINATION RELATIVE TO THE DISPOSAL OF SEWAGE IN THE SOUTH METROPOLITAN SEWERAGE DISTRICT AND TO THE EXTENSION OF SAID DISTRICT.

Examination relative to disposal of sewage for the south

Resolved, That the state board of health is hereby authorized and directed to re-examine the general subject of the disposal of sewage for the south metropolitan sewerage

district, and particularly to consider whether any extension of said district is desirable, and to make report thereon to the general court. For this purpose said board may employ such engineering and other assistants as may be necessary to carry out the purposes of this resolve. All bills for expenses incurred under the provisions of this resolve shall be approved by the governor and council before they are sent to the auditor for payment, and in no event shall the expense exceed the sum of twenty-five hundred dollars. The report herein required shall be made to the general court on or before the fifteenth day of January in the year nineteen hundred and fourteen. *Approved May 8, 1913.*

metropolitan district.

Chap. 84

Resolve to provide for an investigation relative to the removal of the elevated structure on Washington street and Main street in the city of Boston and the extension of the Washington street tunnel to Dudley street and the construction of a subway from City square to Sullivan square in said city.

Resolved, That the Boston transit commission is hereby authorized and directed to investigate and report to the general court on or before the first Monday in January, nineteen hundred and fourteen, in regard to the subject-matter of the petition of Louis Berenson, with the accompanying bill, House No. 1511, to provide for the removal of the elevated structure on Washington street in the city of Boston and on Main street in Charlestown, from City square to Sullivan square and for the extension of the Washington street tunnel, beginning at the southerly end of said tunnel, thence running across or underneath public and private lands, thence continuing along Washington street to a point or points at, near or beyond Dudley street in said city, and connecting said subway or tunnel with the elevated structure at, near or beyond Dudley street and for the building of a subway from City square to Sullivan square in Charlestown. The said commission shall ascertain the probable cost of building the subway or tunnel between said points and the probable cost of the removal of the elevated structure, including any damages paid or payable by the Boston Elevated Railway Company to abutters under the provisions of chapter five hundred and forty-eight of the acts of the year eighteen hundred and ninety-

Investigation relative to the removal of certain elevated structures, and the extension and construction of certain tunnels, etc.

Investigation relative to the removal of certain elevated structures, and the extension and construction of certain tunnels, etc.

four and of acts in amendment thereof and in addition thereto. The commission shall accompany its report with drafts of such bills as it shall deem necessary or suitable for carrying out the purposes of this resolve. The commission shall include in its report an estimate of the loss in tax valuations and taxes since the location, construction and maintenance of the elevated road on all property abutting on the elevated road between the points aforesaid, as well as on all property on streets leading to the street on which said structure is situated between said points. The commission shall also report the probable benefits to real estate owners and other persons as well as to the city of Boston, and shall estimate and report the probable increase in taxes to be paid upon the removal of the elevated structure and the construction of the tunnel between the points aforesaid. The commission shall give advertised public hearings on the subject-matter of this resolve, and may make such investigations, examinations, survey and plans as it shall deem necessary or proper. The commission may expend a sum not exceeding one thousand dollars in carrying out the provisions of this resolve, to be paid out of the treasury of the city of Boston. *Approved May 8, 1913.*

Chap. 85 RESOLVE TO PROVIDE FOR AN INVESTIGATION OF IMPEDIMENTS TO MARRIAGE.

Investigation of impediments to marriage.

Resolved, That the state board of health and the state board of insanity are hereby empowered and directed jointly to investigate, and to report to the general court, on or before the second Saturday of January next, what further impediments to marriage, if any, should be recognized by law in this commonwealth. If they make any recommendations they shall include in their report drafts of bills suitable for carrying them into effect. *Approved May 8, 1913.*

Chap. 86 RESOLVE TO PROVIDE FOR REIMBURSING THE TOWN OF WINTHROP FOR THE COST OF THE SEA WALL AT SHORT BEACH.

Reimbursement of town of Winthrop for cost of sea wall.

Resolved, That there be allowed and paid out of the treasury of the commonwealth to the town of Winthrop the sum of eight thousand dollars, as reimbursement for one half the cost of the sea wall at Short beach, so-called, in Winthrop, constructed for the purpose of protecting the shore line of said town and the highway known as Shirley street,

leading to Point Shirley, through which is constructed the metropolitan sewer, from encroachments or damage by the sea. *Approved May 9, 1913.*

Resolve to provide for a report by the metropolitan park commission as to the cost of completing the Lynn Fells parkway from Bellevue avenue and Green street in the city of Melrose to the Lynn woods. *Chap. 87*

Resolved, That the metropolitan park commission be directed to estimate the cost of acquiring land for and constructing an extension of Lynn Fells parkway from Bellevue avenue and Green street in the city of Melrose to the Lynn woods. Said commission shall submit its estimates together with its recommendations in relation to the said extension to the next general court not later than the second Saturday in January; and in carrying out the provisions of this resolve, the commission may expend a sum not exceeding five hundred dollars, one half of this amount to be paid out of the current revenue, and the other half to be assessed upon the metropolitan parks district as authorized by chapter four hundred and nineteen of the acts of the year eighteen hundred and ninety-nine. *Approved May 13, 1913.*

Estimate of cost of completion of the Lynn Fells parkway.

Resolve to provide for repairing the road on the province lands in the town of Provincetown. *Chap. 88*

Resolved, That the Massachusetts highway commission is hereby authorized and directed to repair and surface the road built on the province lands belonging to the commonwealth at Provincetown, from the boundary line of said lands northerly to the ocean front, and may expend for this purpose a sum not exceeding five thousand dollars. *Approved May 13, 1913.*

Repair of road on the province lands.

Resolve to confirm the acts of Abraham K. Cohen as a justice of the peace. *Chap. 89*

Resolved, That the acts of Abraham K. Cohen as a justice of the peace, between the twenty-eighth day of February and the sixth day of March, nineteen hundred and thirteen, are hereby confirmed and made valid, to the same extent as if during that time he had been qualified to discharge the duties of the said office. *Approved May 16, 1913.*

Acts of Abraham K. Cohen as justice of the peace confirmed.

Chap. 90 RESOLVE IN FAVOR OF THE WIDOW OF J. WALTER CROPPER.

Alice J. Cropper.

Resolved, That there be allowed and paid out of the treasury of the commonwealth an annuity of five hundred dollars for the term of five years to Alice J. Cropper, widow of J. Walter Cropper, deceased, who was employed for eighteen years in the department of the sergeant-at-arms as elevator man and assistant watchman, and who died from the result of a disease contracted in the said service. The said annuity shall date from the sixteenth day of April in the year nineteen hundred and thirteen, and shall be paid in equal quarterly instalments. Should the said Alice J. Cropper remarry or die, the annuity aforesaid shall be paid for the remainder of the term to her surviving children.

Approved May 16, 1913.

Chap. 91 RESOLVE RELATIVE TO THE PROTECTION OF THE PUBLIC HEALTH IN THE VALLEY OF THE NEPONSET RIVER.

Protection of public health in valley of Neponset river.

Resolved, That the sum of thirty-five thousand dollars is hereby appropriated, in addition to the sum of one hundred and fifty thousand dollars appropriated by chapter six hundred and fifty-five of the acts of the year nineteen hundred and eleven, to be expended under the direction of the state board of health in carrying out the provisions of said act relative to the protection of the public health in the valley of the Neponset river. The provisions of said chapter six hundred and fifty-five shall apply to the apportionment and payment of the sum hereby appropriated as in the case of the moneys appropriated by said chapter six hundred and fifty-five. *Approved May 16, 1913.*

Chap. 92 RESOLVE IN FAVOR OF THE NEW BEDFORD TEXTILE SCHOOL.

New Bedford textile school.

Resolved, That there be allowed and paid out of the treasury of the commonwealth to the trustees of the New Bedford textile school the sum of thirty thousand dollars, to be applied to the maintenance and operation of the said school from January first, nineteen hundred and thirteen, to July first, nineteen hundred and fourteen, in accordance with chapter four hundred and forty-five of the acts of the year nineteen hundred and twelve; said sum to be paid as follows: twenty thousand dollars when satisfactory evidence has been furnished to the auditor of the commonwealth that

an additional sum of ten thousand dollars has been paid to the said trustees by the city of New Bedford, or received by them from other sources, and the balance of ten thousand dollars when satisfactory evidence has been furnished to said auditor that an additional sum of five thousand dollars has been paid to said trustees by said city, or received by them from other sources. The city of New Bedford is hereby authorized to raise by taxation and pay to said trustees such sum of money not exceeding fifteen thousand dollars as may be necessary, together with that received from other sources, to secure the amounts provided for by this resolve. New Bedford textile school.

Approved May 20, 1913.

RESOLVE TO DIRECT THE BOSTON TRANSIT COMMISSION TO INVESTIGATE AND REPORT UPON THE ADVISABILITY AND COST OF CONSTRUCTING A SUBWAY TO CONNECT THE DORCHESTER TUNNEL WITH THE SOUTH TERMINAL STATION IN THE CITY OF BOSTON. *Chap.* 93

Resolved, That the Boston transit commission is hereby directed to investigate the advisability and to estimate the cost of constructing a subway to form a connection between the Dorchester tunnel provided for by chapter seven hundred and forty-one of the acts of the year nineteen hundred and eleven, and the South station, so-called, in the city of Boston. The commission shall report to the general court not later than the tenth day of January, nineteen hundred and fourteen, and for the purpose of carrying out the provisions of this resolve may expend a sum not exceeding two hundred and fifty dollars, to be paid out of the treasury of the commonwealth. Investigation relative to construction of a subway to connect the Dorchester tunnel with the South Station.

Approved May 21, 1913.

RESOLVE TO PROVIDE FOR THE MAINTENANCE OF THE LOWELL TEXTILE SCHOOL. *Chap.* 94

Resolved, That there be allowed and paid out of the treasury of the commonwealth to the trustees of the Lowell textile school the sum of twenty-eight thousand dollars, including the deficiency of nineteen hundred and twelve, to be applied to the purposes of the school for the last half of the school year beginning January first and ending June thirtieth, nineteen hundred and thirteen, and the further sum of forty-five thousand dollars for the same purposes for the fiscal year of said school beginning July first, nineteen hundred and thirteen, and ending June thirtieth, nineteen Lowell textile school.

Lowell textile school.

hundred and fourteen; these two sums being required for the maintenance of the said school for eighteen months because of the change of the fiscal year of the corporation from calendar year to school year, made by chapter four hundred and forty-five of the acts of the year nineteen hundred and twelve. The city of Lowell is hereby authorized to raise by taxation and pay to said trustees such sum of money, not exceeding nine thousand dollars, as may be necessary to provide free evening instruction at said school for residents of Lowell.

Approved May 26, 1913.

Chap. 95 RESOLVE TO CONFIRM CERTAIN ACTS IN CONNECTION WITH THE FORMATION OF THE RETIREMENT ASSOCIATION OF NORFOLK COUNTY.

Certain acts of the retirement association of Norfolk county confirmed.

Resolved, That the election of Edward L. Burdakin as the second member of the board of retirement of the retirement association of Norfolk county, and the extension to the thirtieth day of July in the year nineteen hundred and twelve of the time allowed to employees of said county to give notice of not wishing to join said association, are hereby confirmed and made valid to the same extent as if said election and extension of time had been in all respects in conformity with the provisions of chapter six hundred and thirty-four of the acts of the year nineteen hundred and eleven.

Approved May 26, 1913.

Chap. 96 RESOLVE TO PROVIDE FOR THE ENCOURAGEMENT OF DAIRYING AND THE PRODUCTION OF MILK AND DAIRY PRODUCTS OF SUPERIOR QUALITY.

Encouragement of dairying, etc.

Resolved, That the state board of agriculture is hereby authorized to provide for the encouragement of practical dairymen in the production of milk and dairy products of superior quality and cleanliness by offering prizes for the best kept stables, the lowest bacteria counts and best quality of milk, or otherwise, as the board may determine; by demonstrations illustrating the best methods of dairying; by agents who shall instruct the citizens of the commonwealth in matters of stable construction and management and dairy methods in general; by the distribution of literature giving information in regard to the best methods of dairying, and especially in regard to the production of clean milk; or in such other manner as the board may deem best for the encouragement of dairying and the production of clean milk.

For travelling, incidental, administrative and office expenses necessarily incurred in carrying out the purposes of this resolve, the said board may expend a sum not exceeding five thousand dollars annually for three years, beginning with the year nineteen hundred and thirteen, and if any part of the said five thousand dollars remains unexpended at the close of any one year, the balance may be expended in the following year. *Approved May 26, 1913.*

Encouragement of dairying, etc.

Resolve to provide for a report on the condition and education of persons with seriously defective vision. *Chap.* 97

Resolved, That the Massachusetts commission for the blind investigate the condition of persons in this commonwealth with seriously defective vision, who are not now provided for either by any school or by the Massachusetts commission for the blind. The commission shall consider how the condition of such persons may be improved by providing them with instruction in a business and training institute for persons with defective vision. The commission shall report to the general court the result of its investigation, with such recommendations for legislation, if any, as it may deem expedient, on or before January tenth, in the year nineteen hundred and fourteen.

Approved May 27, 1913.

Investigation relative to education of persons with seriously defective vision.

Resolve in amendment of the resolve granting a county tax for the county of Essex. *Chap.* 98

Resolved, That chapter forty-five of the resolves of the present year is hereby amended by striking out the words "For building county buildings", and inserting in place thereof the words: — For the maintenance of the independent agricultural school. *Approved May 28, 1913.*

1913, Res. 45, amended.

Resolve to provide for an investigation and a report by the board of education relative to the sites of normal schools. *Chap.* 99

Resolved, That the board of education is hereby authorized and directed to investigate in regard to the sites now occupied by normal schools in the commonwealth, especially with the view of ascertaining whether or not the sites now occupied by normal schools are located advantageously for the interests of the commonwealth and for the convenience

Investigation relative to sites of normal schools.

Investigation relative to sites of normal schools.

of the scholars attending them. The board is also authorized to investigate as to the necessity or desirability of establishing other normal schools and as to the locations where such schools should be established, if additional normal schools should, in the opinion of the board, be established. The board shall report the result of its investigation to the general court on or before the second Wednesday of January next, together with any recommendations for legislation or otherwise which the board may deem expedient.

Approved May 28, 1913.

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*Chap.*100 RESOLVE TO PROVIDE FOR AN INVESTIGATION AND A REPORT ON THE IMPROVEMENT OF SPOT POND BROOK IN STONEHAM, MELROSE AND MALDEN.

Spot Pond Brook Improvement Commission, duties, etc.

Resolved, That the chairman of the metropolitan water and sewerage board, the chairman of the metropolitan park commission, the chairman of the county commissioners of the county of Middlesex, the mayor of the city of Malden and the mayor of the city of Melrose are hereby constituted a commission, to be known as the Spot Pond Brook Improvement Commission. The said commission shall investigate the condition of Spot Pond brook in Stoneham, Melrose and Malden and report to the general court, before the tenth day of January, nineteen hundred and fourteen, a plan for the most economical means of preventing flooding along the course of said brook, together with such suggestions and recommendations relative to the improvement of the brook and the drainage of the territory through which it flows as the commission may deem advisable.

Approved May 29, 1913.

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*Chap.*101 RESOLVE TO PROVIDE FOR AN INVESTIGATION OF THE COST OF DREDGING AND IMPROVING LAKE QUANNAPOWITT IN THE TOWN OF WAKEFIELD.

Investigation as to improvement of Lake Quannapowitt.

Resolved, That the board of harbor and land commissioners investigate and estimate the cost of dredging and otherwise improving Lake Quannapowitt in the town of Wakefield, and report to the next general court, on or before the second Wednesday in January, the result of its investigation, together with such recommendations for legislation, if any, as it may deem advisable. *Approved May 29, 1913.*

RESOLVE RELATIVE TO INCREASING THE SUPPLY OF WILD GAME BIRDS. *Chap.* 102

Resolved, That there be allowed and paid out of the treasury of the commonwealth a sum not exceeding seven thousand five hundred dollars, to be expended from time to time by the commissioners on fisheries and game in such manner as they may consider best for increasing the supply of wild game birds in this commonwealth. Increasing supply of game birds.

Approved May 29, 1913.

RESOLVE RELATIVE TO INCREASING THE SUPPLY OF FOOD AND GAME FISH. *Chap.* 103

Resolved, That there be allowed and paid out of the treasury of the commonwealth a sum not exceeding seventy-five hundred dollars, to be expended by the commissioners on fisheries and game, from time to time, in such manner as they may consider to be best adapted for increasing the supply of food and game fish in public waters. Increasing supply of food and game fish.

Approved May 29, 1913.

RESOLVE TO PROVIDE FOR AN INVESTIGATION OF THE FISHERIES OF BUZZARD'S BAY. *Chap.* 104

Resolved, That the board of commissioners on fisheries and game is hereby directed to make an investigation and report upon the fish and fisheries of Buzzard's bay, with particular reference to the quantities and species of edible and non-edible fish to be found therein, the effect of the present laws and restrictions in respect to the taking of fish therein, and the methods of taking fish. Investigation of fisheries of Buzzard's bay.

For this purpose the said commissioners may employ additional assistants and experts, and may establish, operate and maintain fish traps or pounds, and may authorize others, under their direction, and in such manner and on such terms as they may deem expedient, to establish, operate and maintain fish traps and pounds, and may purchase, hire, lease, set, operate and maintain movable or stationary apparatus and boats for taking fish, and may take such other action as may be deemed proper for carrying out the purposes of this resolve. The said commissioners may sell or authorize the sale of fish taken for the purposes of this investigation, and may sell any apparatus or boats acquired hereunder,

Investigation of fisheries of Buzzard's bay.

and the proceeds shall be paid into the treasury of the commonwealth.

The said commissioners, if they so desire, may hold one or more public hearings, at such times and places as they may appoint, for the purpose of hearing persons interested and of obtaining statistics and other information. The said commissioners shall report to the general court on or before the second Wednesday of January, nineteen hundred and fourteen, the result of their investigations, together with such recommendations as in their opinion are calculated to increase and perpetuate the annual yield of useful fish from Buzzard's bay and its tributaries; and in said report the commissioners shall state whether in their opinion the existing laws governing the fisheries in Buzzard's bay should continue to remain in force, be repealed, or modified, and if modified, to what extent, and they shall also submit with their report such drafts of proposed legislation as may be necessary to carry said recommendations into effect.

The commissioners may expend from the treasury of the commonwealth a sum not exceeding twenty-five hundred dollars in carrying out the purposes of this resolve.

Approved June 4, 1913.

Chap. 105 RESOLVE IN FAVOR OF J. WILLIAM VOSS OF BEVERLY.

J. William Voss.

Resolved, That there be allowed and paid out of the treasury of the commonwealth to J. William Voss of Beverly the sum of five hundred eight dollars and forty-three cents, in full consideration for expenses incurred and services rendered by him as state inspector of health.

Approved June 4, 1913.

Chap. 106 RESOLVE TO PROVIDE FOR A COMMISSION TO DEVISE A JUST AND COMPREHENSIVE SYSTEM OF STATE, COUNTY AND MUNICIPAL PENSIONS.

Commission on pensions, appointment, duties, etc.

Resolved, That a commission of three persons shall be appointed by the governor, with the advice and consent of the council, one of whom shall be designated by the governor as chairman, to investigate the subject of pensions. The commission shall be known as the commission on pensions, and it shall report fully and in detail the various systems under which pensions are now paid by the commonwealth and by the counties, cities and towns therein, and to what persons pensions are now being paid thereunder and the amounts thereof. The commission shall report upon

the advisability of a service-pension plan under which the persons to whom pensions are granted shall make payments from their salaries or wages, or shall consent to deductions therefrom, as contributions to the fund from which pensions are to be paid, or any other plan which the commission may approve. The commission shall also consider the case of persons now receiving pensions who are engaged in other employment, and shall also report upon the advisability of a general pension system for old age or other disability, and may report a plan or plans for such a system. The commission shall give public hearings and shall be allowed for its compensation and expenses such sums as may be approved by the governor and council. The commission shall report in print on or before January tenth, nineteen hundred and fourteen, and shall include in its report a general bill or bills regulating the pensions to be paid by the commonwealth and by the counties, cities and towns therein.

Commission on pensions, appointment, duties, etc.

Report.

Approved June 4, 1913.

RESOLVE TO PROVIDE FOR A CODIFICATION OF THE FISH AND GAME LAWS OF THE COMMONWEALTH. *Chap.* 107

Resolved, That the board of commissioners on fisheries and game is hereby authorized and directed to codify in one act the laws of the commonwealth relating to fisheries and game, and to provide for repealing special acts relating to fisheries and game. For this purpose the board may employ such assistance as may be necessary, may expend a sum not exceeding three hundred dollars, and shall report to the next general court.

Codification of fish and game laws.

Approved June 4, 1913.

RESOLVE TO PROVIDE FOR AN INVESTIGATION OF THE SERVICE OF STREET RAILWAY COMPANIES. *Chap.* 108

Resolved, That the members of the board of railroad commissioners and of the Boston transit commission are hereby authorized and directed to act as a joint commission to inquire into and to consider the street railway service furnished by the Boston Elevated Railway Company and the Bay State Street Railway Company in the metropolitan district; and to report their conclusions and recommendations, if any, to the general court on or before the tenth day of next January. The joint commission shall give public hearings and shall have authority to administer oaths and to require the attendance of witnesses and the production of books and papers. Members of the commission shall

Investigation of service of street railway companies.

Investigation of service of street railway companies.

serve without compensation, but the commission may expend for necessary purposes a sum not exceeding five thousand dollars, which amount shall be assessed upon the metropolitan parks district. *Approved June 6, 1913.*

Chap. 109 RESOLVE TO PROVIDE FOR THE PAYMENT OF A SUM OF MONEY TO THE TOWN OF SANDISFIELD FOR EDUCATIONAL PURPOSES.

Town of Sandisfield.

Resolved, That there be allowed and paid from the treasury of the commonwealth to the town of Sandisfield the sum of six hundred five dollars and sixty-eight cents, this sum being equal to the amount paid to the said town from the Massachusetts School Fund in the year nineteen hundred and twelve on account of the ratio of the school tax to the whole tax, the town having failed to obtain the said sum in the current year on account of a technicality and being justly entitled thereto. *Approved June 6, 1913.*

Chap. 110 RESOLVE TO PROVIDE FOR ADDITIONAL COPIES OF THE ANNUAL REPORT OF THE BOARD OF REGISTRATION OF NURSES.

Report of board of registration of nurses.

Resolved, That there shall be printed one thousand copies of the report of the board of registration of nurses for the current year, in addition to the number of copies already printed, the same to be distributed at the discretion of the board. The annual edition of said report shall hereafter be fifteen hundred copies, five hundred copies to be for the use of the board. *Approved June 6, 1913.*

Chap. 111 RESOLVE TO PROVIDE FOR THE MAINTENANCE OF THE MASSACHUSETTS AGRICULTURAL COLLEGE.

Massachusetts Agricultural College, maintenance, etc.

Resolved, That there be allowed and paid from the treasury of the commonwealth, for the maintenance and current expenses of the Massachusetts Agricultural College, the following sums: — For the year nineteen hundred and fourteen, a sum not exceeding two hundred and eighty thousand dollars; for the year nineteen hundred and fifteen, a sum not exceeding three hundred and three thousand dollars; for the year nineteen hundred and sixteen, a sum not exceeding three hundred and twenty-five thousand dollars; for the year nineteen hundred and seventeen, a sum not exceeding three hundred and forty-one thousand dollars; and for the year nineteen hundred and eighteen, a sum not exceeding three hundred and sixty-two thousand dollars.

Approved June 6, 1913.

RESOLVE TO PROVIDE FOR CERTAIN ADDITIONAL IMPROVEMENTS AT THE MASSACHUSETTS AGRICULTURAL COLLEGE. *Chap.* 112

Massachusetts Agricultural College, improvements, etc.

Resolved, That there be allowed and paid from the treasury of the commonwealth for improvements and other expenses at the Massachusetts Agricultural College, to be expended under the direction of the trustees thereof, a sum not exceeding eighty thousand two hundred two dollars and eleven cents, for the following purposes: For constructing an addition to French hall, a sum not exceeding thirty-five thousand dollars; for an infirmary, a sum not exceeding fifteen thousand dollars; for the payment of architects' fees previously incurred for which no appropriation has heretofore been made, the sum of four thousand two hundred two dollars and eleven cents; and for certain miscellaneous improvements and repairs, a sum not exceeding twenty-six thousand dollars. *Approved June 6, 1913.*

RESOLVE TO PROVIDE FOR THE PURCHASE OF LAND IN CONNECTION WITH THE STATE NORMAL SCHOOL AT FRAMINGHAM. *Chap.* 113

Purchase of land at Framingham.

Resolved, That there be allowed and paid out of the treasury of the commonwealth a sum not exceeding one thousand dollars, to be expended under the direction of the board of education, for the purchase of land in connection with the state normal school at Framingham.

Approved June 6, 1913.

RESOLVE TO CONFIRM THE ACTS OF JOHN J. HARTNETT AS A NOTARY PUBLIC. *Chap.* 114

Acts of John J. Hartnett as a notary public confirmed.

Resolved, That the acts of John J. Hartnett as a notary public, between the twenty-eighth day of February and the thirteenth day of May in the year nineteen hundred and thirteen, are hereby confirmed and made valid, to the same extent as if during that time he had been qualified to discharge the duties of the said office. *Approved June 6, 1913.*

RESOLVE TO CONFIRM THE ACTS OF FREDERICK W. MANSFIELD AS A JUSTICE OF THE PEACE. *Chap.* 115

Acts of Frederick W. Mansfield as a justice of the

Resolved, That the acts of Frederick W. Mansfield as a justice of the peace, between the seventh day of March and the twenty-first day of May in the year nineteen hundred

peace confirmed.

and thirteen, are hereby confirmed and made valid, to the same extent as if during that time he had been qualified to discharge the duties of the said office.

Approved June 6, 1913.

Chap. 116 RESOLVES TO PROVIDE FOR SUBMITTING TO THE PEOPLE THE ARTICLE OF AMENDMENT OF THE CONSTITUTION AUTHORIZING THE REFERENDUM.

Article of amendment of the constitution to be submitted to the people.

Resolved, That the following article of amendment of the constitution, having been agreed to by the last and present general court and published in the manner required by the constitution, be submitted to the people for their ratification and adoption: —

ARTICLE OF AMENDMENT.

Article of amendment.

Full power and authority are hereby given and granted to the general court to refer to the people for their rejection or approval at the polls any act or resolve of the general court or any part or parts thereof. Such reference shall be by a majority yea and nay vote of all members of each house present and voting. Any act, resolve, or part thereof so referred shall be voted on at the regular state election next ensuing after such reference, shall become law if approved by a majority of the voters voting thereon, and shall take effect at the expiration of thirty days after the election at which it was approved or at such time after the expiration of the said thirty days as may be fixed in such act, resolve or part thereof.

Vote upon article, etc.

Resolved, That the people shall be assembled for the purpose aforesaid, in their respective polling places in the several cities and towns in meetings to be legally warned, and held on Tuesday, the fourth day of November next, at which meetings all persons qualified to vote for state officers may give in their votes by ballot for or against said article of amendment; and the same officers shall preside in said meetings as in meetings for the choice of state officers, and shall, in open meetings receive, sort, count and declare the votes for and against the said article of amendment; and the said votes shall be recorded by the clerks of said cities and towns, and true returns thereof shall be made out under the hands of the mayor and aldermen or board having the powers of aldermen, and of the selectmen, or a major part of them, and of the clerks of the said cities and towns, respectively, and sealed up, and, within ten days after the said

meetings, transmitted to the secretary of the commonwealth. So far as the same can be made applicable, the provisions of law applicable to the election of state officers shall apply to the taking of the vote on said article of amendment.

Question upon ballot.

Resolved, That every person qualified to vote as aforesaid may express his opinion on said article of amendment, and the following words shall be printed on the ballot: —

Shall the proposed amendment to the constitution, authorizing the referendum, be approved and ratified?

YES.	
NO.	

And if said article shall appear to be approved by a majority of the persons voting thereon, it shall be deemed and taken to be ratified and adopted by the people.

Examination of returns of votes, etc.

Resolved, That his excellency the governor and the council shall forthwith open and examine the votes returned as aforesaid; and if it shall appear that said article of amendment has been approved by a majority of the persons voting thereon, according to the votes returned and certified as aforesaid, the same shall be enrolled on parchment and deposited in the secretary's office as a part of the constitution of the commonwealth, and shall be published in immediate connection therewith, numbered according to its numerical position, with the articles of amendment of the constitution heretofore adopted, in all future editions of the laws of the commonwealth printed by public authority.

Governor to issue proclamation.

Resolved, That his excellency the governor be, and he hereby is, authorized and requested to issue his proclamation forthwith after the examination of the votes returned as aforesaid, reciting said article of amendment and announcing that said article has been duly adopted and ratified by the people of the commonwealth, and thus becomes a part of the constitution thereof, and requiring all magistrates and officers and all citizens of the commonwealth to take notice thereof and govern themselves accordingly, or that said article of amendment has been rejected, as the case may be.

Approved June 7, 1913.

RESOLVE TO PROVIDE FOR THE APPOINTMENT OF A COMMISSION TO INVESTIGATE AND TO REPORT IN REGARD TO DRUNKENNESS. *Chap.* 117

Commission on investigation of drunkenness.

Resolved, That the governor, with the advice and consent of the council, is hereby authorized to appoint five persons, citizens of the commonwealth, one of whom he shall designate

Commission on investigation of drunkenness.

as chairman, who shall constitute a commission to investigate the subject of drunkenness in this commonwealth and the best means of correcting or controlling that evil. The commission shall be provided with a place for its meetings in the state house, and may expend in carrying out the provisions of this resolve a sum not exceeding two thousand dollars, to be paid from the treasury of the commonwealth. The members of the commission shall serve without compensation. The commission shall give advertised public hearings, and shall report in print to the legislature such recommendations for legislation as it may deem necessary or desirable, together with a draft thereof, on or before the first day of January, in the year nineteen hundred and fourteen. *Approved June 13, 1913.*

Chap. 118 RESOLVE TO PROVIDE FOR A CODIFICATION OF THE HEALTH LAWS OF THE COMMONWEALTH.

Codification of health laws.

Resolved, That the state board of health is hereby directed to codify the health laws of the commonwealth, and to report the codification to the general court not later than the tenth day of January in the year nineteen hundred and fourteen, together with a plan for the more efficient local administration of the said laws. For this purpose the said board may employ legal assistance, and may expend a sum not exceeding five hundred dollars. *Approved June 13, 1913.*

Chap. 119 RESOLVE TO PROVIDE FOR CERTAIN REPAIRS AT THE RUTLAND STATE SANATORIUM.

Repairs at the Rutland state sanatorium.

Resolved, That there be allowed and paid out of the treasury of the commonwealth a sum not exceeding fifty-two hundred twenty-two dollars and one cent, to be expended, under the direction of the trustees of hospitals for consumptives, at the Rutland state sanatorium for the purpose of repairing damage done by the recent fire, to include the purchase of one large fire extinguisher and the cost of conconstructing a small house to accommodate fire apparatus. *Approved June 13, 1913.*

Chap. 120 RESOLVE TO PROVIDE FOR AN INVESTIGATION OF SOCIAL SERVICE WORK FOR THE PREVENTION OF INSANITY AND THE SUBSEQUENT CARE OF THE MENTALLY ILL.

Investigation as to establishment of social service

Resolved, That the state board of insanity shall at once proceed to investigate the establishment, in connection with

each state hospital for the care of the mentally ill, of social service work having for its purpose the prevention of insanity and the subsequent care of discharged patients, and shall report its findings and recommendations to the next general court, not later than the second Wednesday of January.

work for prevention of insanity, etc.

Approved June 13, 1913.

RESOLVE TO PROVIDE FOR PRINTING ADDITIONAL COPIES OF THE REPORT OF THE CONNECTICUT VALLEY WATERWAY BOARD. *Chap.* 121

Resolved, That there be printed and distributed by the secretary of the commonwealth three hundred copies, in addition to those already printed, of the report of the Connecticut Valley waterway board on an investigation of the Connecticut river.

Report of Connecticut Valley waterway board.

Approved June 13, 1913.

RESOLVE RELATIVE TO THE ENFORCEMENT OF THE LAWS OF THE COMMONWEALTH IN THE WATERS OF THE COMMONWEALTH. *Chap.* 122

Resolved, That there be allowed and paid out of the treasury of the commonwealth a sum not exceeding fifteen hundred dollars, to be expended by the chief of the district police, under the direction of the governor and council, in the enforcement of law and the prevention of crime in the waters of the commonwealth.

Enforcement of laws in the waters of the commonwealth, etc.

Approved June 13, 1913.

RESOLVE IN FAVOR OF JENNIE L. JENKINS. *Chap.* 123

Resolved, That there be allowed and paid out of the treasury of the commonwealth to Jennie L. Jenkins the sum of four hundred and twenty-five dollars: *provided,* that said Jennie L. Jenkins files with the auditor of the commonwealth a suitable release from all further claims for damages for rent or injury to property on account of a certain alleged lease and contract between the officers of the Lakeville state sanatorium and herself.

Jennie L. Jenkins.

Approved June 13, 1913.

RESOLVE TO AUTHORIZE THE LEASING OF TEMPORARY QUARTERS FOR DEFECTIVE DELINQUENTS. *Chap.* 124

Resolved, That the governor and council are hereby authorized to lease and equip, in the name and behalf of the commonwealth, for such time and on such terms as they may deem advisable, buildings and grounds for the care of defective delinquents until more permanent provision has been made

Temporary quarters for defective delinquents.

Temporary quarters for defective delinquents.

in accordance with chapter five hundred and ninety-five of the acts of the year nineteen hundred and eleven. Commitments to the place or places so leased shall be made in accordance with the provisions of said chapter five hundred and ninety-five. The expense which may be incurred under the provisions of this resolve, including the cost attending the commitment, custody and support of defective delinquents so committed, to an amount not exceeding twenty-five thousand dollars, shall be allowed and paid out of such of the prison industries funds as the prison commissioners, with due regard to preserving the necessary sum to maintain the industries of the institution for which the fund was established, may designate. *Approved June 13, 1913.*

Chap. 125 RESOLVE TO PROVIDE FOR THE REPRESENTATION OF THE COMMONWEALTH AT THE PANAMA-PACIFIC INTERNATIONAL EXPOSITION.

Representation at the Panama-Pacific international exposition.

Resolved, That, for the purpose of exhibiting the resources, products and general development of the commonwealth at the Panama-Pacific international exposition, to be held at San Francisco in the year nineteen hundred and fifteen for celebrating the completion and the opening to commerce of the Panama canal, there may be expended from the treasury of the commonwealth a sum not exceeding two hundred and fifty thousand dollars. The said sum shall be expended by the board of Panama-Pacific managers for Massachusetts, subject to the approval of the governor and council, in accordance with the provisions of chapter one hundred and forty-four of the resolves of the year nineteen hundred and twelve. Of the said sum fifty thousand dollars may be expended in the current year, one hundred and fifty thousand dollars in the year nineteen hundred and fourteen, and fifty thousand dollars in the year nineteen hundred and fifteen. *Approved June 13, 1913.*

Chap. 126 RESOLVE TO PROVIDE FOR THE FURNISHING AND EQUIPPING OF THE TRAINING SCHOOL BUILDING AND FOR CERTAIN OTHER IMPROVEMENTS AT THE STATE NORMAL SCHOOL AT SALEM.

State normal school at Salem.

Resolved, That there be allowed and paid out of the treasury of the commonwealth a sum not exceeding fifteen thousand five hundred dollars, to be expended under the direction of the board of education for the furnishing and equipping

of the training school constructed in pursuance of chapter five hundred and fifty-one of the acts of the year nineteen hundred and twelve, and for certain other improvements at the state normal school at Salem. State normal school at Salem.

Approved June 16, 1913.

RESOLVE TO PROVIDE FOR PRINTING THE REPORT OF THE BOARD OF EDUCATION ON PART-TIME EDUCATION. *Chap.* 127

Resolved, That there be allowed and paid out of the treasury of the commonwealth a sum not exceeding six hundred dollars, to be expended by the board of education for the printing of the special report dealing with part-time education prepared by the board under the provisions of chapter sixty-four of the resolves of the year nineteen hundred and eleven. Report on part-time education.

Approved June 16, 1913.

RESOLVE TO PROVIDE FOR THE CONSTRUCTION OF THE RIVER ROAD, SO-CALLED, FROM WILLIAMSTOWN TO PITTSFIELD. *Chap.* 128

Resolved, That there be allowed and paid from the treasury of the commonwealth a sum not exceeding ten thousand dollars, to be expended under the direction of the Massachusetts highway commission in the construction of the River road, so-called, from Williamstown through South Williamstown, New Ashford and Lanesborough to Pittsfield. Construction of the River road.

Approved June 16, 1913.

RESOLVE TO INVESTIGATE METHODS OF CONSERVING AND EQUALIZING THE FLOW OF WATERS IN THE RIVERS AND STREAMS OF THE COMMONWEALTH. *Chap.* 129

Resolved, That the chairman of the board of harbor and land commissioners, the chairman of the board of gas and electric light commissioners and the attorney-general are hereby created a commission to investigate and report to the general court on or before the second Wednesday of January, nineteen hundred and fourteen, what legislation, if any, is expedient or advisable to better conserve the waters and provide for the utilization and equalization of the flow thereof in the rivers and natural streams of the commonwealth. The commission shall hold such public hearing at such times and places as it may appoint for the purpose of hearing parties interested, and may employ such engineers and other assistants as may be necessary to carry out the Investigation of methods of conserving the waters in rivers, etc., of the commonwealth, etc.

Investigation of methods of conserving the waters in rivers, etc., of the commonwealth, etc.

purposes of this resolve. The commission shall submit its report with such recommendations as it deems advisable, together with such draft or drafts of proposed legislation, if any, as it may deem necessary to carry such recommendations into effect. The commission may expend from the treasury of the commonwealth, with the approval of the governor and council, a sum not exceeding five thousand dollars. *Approved June 16, 1913.*

Chap. 130 RESOLVE TO PROVIDE FOR THE CONSTRUCTION OF A BULKHEAD AND PLAYGROUND NEAR LYNN HARBOR.

Bulkhead and playground near Lynn harbor.

Resolved, That the metropolitan park commission may use as much of the material dredged from the anchorage basin of Lynn harbor under chapter one hundred and thirty-seven of the resolves of the year nineteen hundred and twelve, as is necessary to construct a park or playground upon the flats owned by the commonwealth and under the control of said commission in or near said harbor, and in the construction of a bulkhead to retain such filling material. For the purpose of carrying out the provisions of this resolve, said commission may expend a sum not exceeding ten thousand dollars, to be allowed and paid out of the Metropolitan Parks Maintenance Fund. *Approved June 16, 1913.*

Chap. 131 RESOLVE TO PROVIDE FOR THE APPOINTMENT OF A COMMISSION TO INVESTIGATE AND REPORT UPON THE TAXATION OF WILD OR FOREST LANDS.

Commission on taxation of wild or forest lands, appointment, duties, etc.

Resolved, That the governor, with the advice and consent of the council, shall, within thirty days after the passage of this resolve, appoint a commission of five persons, citizens of the commonwealth, to be known as the commission on the taxation of wild or forest lands. Said commission shall investigate the effect of the present laws relating to the taxation of wild or forest lands in this commonwealth, and the laws and systems of taxation of such lands in operation in other states and countries, shall correspond so far as may be advisable with authorities in this commonwealth and in other states and countries in regard to said matters, and shall draft an act providing such methods of taxation of wild or forest lands as will develop and conserve the forest resources of the commonwealth. The said commission shall also investigate the present policy of the commonwealth with regard to the acquisition and management of wild or forest

lands and report what further legislation, if any, is necessary. The report shall also contain a compilation of statistics and other information obtained by the commission and shall be made on or before the first Wednesday in January, nineteen hundred and fourteen. Of the said commissioners, one member shall be the tax commissioner and one member shall be the state forester. The members of the commission shall serve without compensation, but may incur such expenses in the performance of their duties, not exceeding the amount of five thousand dollars, as may be authorized by the governor and council. The commission shall be provided with suitable quarters in the state house or elsewhere. *Approved June 16, 1913.*

Commission on taxation of wild or forest lands, appointment, duties, etc.

RESOLVE TO PROVIDE FOR THE IMPROVEMENT OF PLYMOUTH HARBOR. *Chap.* 132

Resolved, That there be allowed and paid out of the treasury of the commonwealth to the secretary of war of the United States, to be expended for the improvement of Plymouth harbor, the sum of eighty-three thousand five hundred dollars, to be expended in connection with a similar sum appropriated by an act of the congress of the United States, approved on the fourth day of March, in the year nineteen hundred and thirteen. *Approved June 16, 1913.*

Improvement of Plymouth harbor.

RESOLVE TO PROVIDE FOR REPAIRS AND IMPROVEMENTS AT CERTAIN STATE INSTITUTIONS. *Chap.* 133

Resolved, That there be allowed and paid out of the treasury of the commonwealth from the ordinary revenue, for repairs and improvements at certain state institutions, the sums hereinafter mentioned, to wit: —

Improvements, etc., at state institutions.

INSANE AND FEEBLE-MINDED INSTITUTIONS.

For Boston state hospital, to be expended under the direction of the trustees thereof, a sum not exceeding two hundred ninety-three thousand dollars, for the following purposes: — For constructing, equipping and furnishing a reception building to accommodate forty-eight male patients, a sum not exceeding fifty-two thousand dollars; for constructing, equipping and furnishing one cottage in the men's industrial group to accommodate twenty-six persons, a sum not exceeding thirty-two thousand dollars;

Boston state hospital.

Improvements, etc., at state institutions.

for constructing, equipping and furnishing one cottage for farm patients, a sum not exceeding thirty-one thousand dollars; for constructing, equipping and furnishing a dining room to serve the industrial and farm group, a sum not exceeding eighteen thousand dollars; for extending the present boiler house at east group and installing conduit and piping to make this serve the entire institution, a sum not exceeding one hundred and fifty thousand dollars; and for extension of the water and sewerage system to proposed new buildings, a sum not exceeding ten thousand dollars.

Gardner state colony.

For the Gardner state colony, to be expended under the direction of the trustees thereof, a sum not exceeding twelve thousand dollars, for constructing and furnishing one cottage for thirty patients.

Monson state hospital.

For the Monson state hospital, to be expended under the direction of the trustees thereof, a sum not exceeding one hundred and thirty thousand dollars, for constructing and furnishing a building for one hundred and thirty insane patients.

Norfolk state hospital.

For the Norfolk state hospital, to be expended by the trustees of the Foxborough state hospital, administrators of the Norfolk state hospital, a sum not exceeding eighty-nine thousand dollars for the following purposes: — For building, equipping and furnishing one cottage for hospital patients, a sum not exceeding eight thousand dollars; for building, equipping and furnishing certain farm buildings, a sum not exceeding eighteen thousand dollars; for building, equipping and furnishing a hospital building, a sum not exceeding twenty thousand dollars; for building, equipping and furnishing an industrial building, a sum not exceeding eight thousand dollars; for building, equipping and furnishing a service building, a sum not exceeding twenty-nine thousand dollars; for a spur track, a sum not exceeding two thousand dollars; and for a storage water tank and water and sewerage connections, a sum not exceeding four thousand dollars.

Northampton state hospital.

For the Northampton state hospital, to be expended under the direction of the trustees thereof, for the purchase and installation of new boilers, a sum not exceeding ten thousand dollars.

Westborough state hospital.

For the Westborough state hospital, to be expended under the direction of the trustees thereof, a sum not exceeding eighty-seven thousand two hundred and fifty dollars, for the following purposes: — For the relocation and recon-

struction of a power and heating plant, a sum not exceeding seventy thousand dollars; for renovating and improving the sanitary condition of certain wards, a sum not exceeding thirteen thousand dollars; for the purchase of the Collins farm, so-called, adjoining the land of the state trustees, and situated in the town of Northborough, a sum not exceeding forty-two hundred and fifty dollars. Westborough state hospital.

For the Worcester state asylum, to be expended under the direction of the trustees thereof at the Grafton colony, a sum not exceeding two hundred eight thousand five hundred dollars, for the following purposes: — For one new kitchen and dining room with dormitory, a sum not exceeding twenty-three thousand dollars; for the repair of the old house of colony number two, a sum not exceeding thirty-three hundred dollars; for one new boiler of one hundred and fifty horsepower, a sum not exceeding two thousand dollars; for filter bed enlargement, a sum not exceeding twenty-five thousand dollars; for water supply and development of reservoir, a sum not exceeding sixteen thousand dollars; for one motor generator, a sum not exceeding fifty-nine hundred dollars; for a male nurses' home, a sum not exceeding forty-nine thousand dollars; for a female nurses' home, a sum not exceeding thirty-six thousand three hundred dollars; for a service building, central kitchen and dormitory at colony number four, a sum not exceeding forty-eight thousand dollars. Worcester state asylum.

For the Worcester state hospital, to be expended under the direction of the trustees thereof, a sum not exceeding twenty-nine thousand and seventy-five dollars, for the following purposes: — For constructing and furnishing one cottage for employees, a sum not exceeding eighty-nine hundred and seventy-five dollars; for finishing and furnishing the attic of the present female nurses' home, to provide for twenty nurses, a sum not exceeding eight thousand dollars; for completing alterations in and furnishing farmhouse, a sum not exceeding forty-six hundred dollars; and for a new sewer pipe line, a sum not exceeding seven thousand five hundred dollars: *provided*, that no part of the amount authorized for a new sewer pipe line at the Worcester state hospital, to connect said hospital with the Worcester system of sewerage, shall be used or expended unless the state board of health, after making a thorough investigation of the sewerage conditions of the Blackstone river, the results of which shall be reported to the general court in January, nineteen hundred Worcester state hospital. Proviso.

and fourteen, shall certify to the auditor of the commonwealth that the area of filter beds for the purification of the sewage of the city of Worcester has been enlarged to an extent necessary to filter the additional sewage to be discharged from the said Worcester state hospital, and that in their opinion the city of Worcester has taken or is taking such action in relation to the purification of its sewage that it is desirable from the point of view of the public health that the Worcester state hospital shall be connected with the sewerage system of the city of Worcester.

Wrentham state school.

For the Wrentham state school, to be expended under the direction of the trustees thereof, a sum not exceeding two hundred ninety-two thousand five hundred dollars, for the following purposes: — For constructing and furnishing a custodial building, a sum not exceeding seventy-two thousand dollars; for constructing and furnishing two dormitories, a sum not exceeding one hundred thousand dollars; for constructing and furnishing three homes for employees, a sum not exceeding forty-three thousand five hundred dollars; for constructing and furnishing an administration building, a sum not exceeding twenty-two thousand dollars; for additions to the power house, including two additional boilers, hot water heater and distributing mains, a sum not exceeding twenty-eight thousand dollars; for additions to service building, a sum not exceeding twenty-five thousand dollars; and for laundry equipment, a sum not exceeding two thousand dollars.

TUBERCULOSIS SANATORIA.

Lakeville state sanatorium.

For the Lakeville state sanatorium, to be expended under the direction of the trustees of the hospitals for consumptives, a sum not exceeding twenty thousand dollars, for the following purposes: — For the erection and equipment of a pavilion for thirty patients and nine employees, a sum not exceeding thirteen thousand dollars; for additions to the present wards for men and women, a sum not exceeding six thousand dollars; for constructing and equipping a suitable laboratory, a sum not exceeding one thousand dollars.

North Reading state sanatorium.

For the North Reading state sanatorium, to be expended under the direction of the trustees of the hospitals for consumptives, a sum not exceeding fourteen thousand four hundred twenty-seven dollars and ninety-three cents, for the following purposes: — For the construction of a pavilion for twenty-four patients, a sum not exceeding sixty-two

hundred twenty-four dollars and sixty-two cents; for suitable alterations in and additions to the dining room, a sum not exceeding sixty-seven hundred three dollars and thirty-one cents; and for constructing a silo and making repairs upon roads and draining the grounds at said institution, a sum not exceeding fifteen hundred dollars. North Reading state sanatorium.

For the Westfield state sanatorium, to be expended under the direction of the trustees of the hospitals for consumptives, a sum not exceeding thirty-seven thousand dollars, for the following purposes: — For the construction, furnishing and equipment of a children's ward, a sum not exceeding twenty thousand dollars; and for a power house, and laundry building fully equipped, a sum not exceeding seventeen thousand dollars. Westfield state sanatorium.

TRAINING SCHOOLS.

For the industrial school for boys, to be expended under the direction of the trustees of the Massachusetts training schools, a sum not exceeding twenty-seven thousand five hundred and fifty dollars, for the following purposes: — For constructing and furnishing one cottage for thirty boys and attendants, a sum not exceeding eighteen thousand two hundred dollars; for heating and furnishing one cottage, a sum not exceeding three thousand dollars; for explorations and investigations for a water system, a sum not exceeding seven hundred dollars; for general improvements, including moving and remodeling a small house into a cottage tenement, storing ensilage, chicken house, platform scales, extension of sidewalks, sewer beds and water pipe connections, a sum not exceeding fifty-six hundred and fifty dollars. Industrial school for boys.

For the state industrial school for girls, to be expended under the direction of the trustees of the Massachusetts training schools, a sum not exceeding forty-four thousand one hundred and fifty dollars, for the following purposes: — For the construction of a central school building, and for furnishing and equipping the same, a sum not exceeding forty thousand dollars; for renewing and extending the telephone system, a sum not exceeding sixteen hundred dollars; for a heating system for the Fisher cottage, a sum not exceeding nineteen hundred and fifty dollars; and for the extension of sidewalks, a sum not exceeding six hundred dollars. Industrial school for girls.

For the Lyman school for boys, to be expended under the direction of the trustees of the Massachusetts training schools, a sum not exceeding twenty-nine hundred dollars, Lyman school for boys.

Lyman school for boys.

for the following purposes: — For exploration and investigation for a water supply, a sum not exceeding seven hundred dollars; for shoe machinery and equipment, a sum not exceeding twelve hundred dollars; and for an ice house, a sum not exceeding one thousand dollars.

MISCELLANEOUS.

State infirmary.

For the state infirmary, to be expended under the direction of the trustees and superintendent, a sum not exceeding fifty thousand dollars, for the following purposes: — For additions to and alterations in the administration building, a sum not exceeding twenty-eight thousand dollars; and for constructing and equipping a laboratory building, a sum not exceeding twenty-two thousand dollars.

State farm.

For the state farm, to be expended under the direction of the trustees and superintendent, a sum not exceeding fourteen thousand eight hundred dollars, for the following purposes: — For an additional water supply, a sum not exceeding ten thousand dollars; for the purchase of land, a sum not exceeding four thousand dollars; and for recording machinery and instruments for the power plant, a sum not exceeding eight hundred dollars. *Approved June 18, 1913.*

AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES.

RESOLUTIONS RATIFYING THE PROPOSED AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES RELATIVE TO THE TAXATION OF INCOMES.

Proposed amendment to the constitution of the United States ratified.

Whereas, The sixty-first congress, at the first session, in both houses passed the following proposal to amend the constitution of the United States, by a constitutional majority of two thirds thereof, in words following, to wit: —

Joint Resolution, proposing an Amendment to the Constitution of the United States.

Resolved by the senate and house of representatives of the United States of America in congress assembled (two thirds of each house concurring therein). That the following article is proposed as an amendment to the constitution of the United States, which, when ratified by the legislatures of three fourths of the several states, shall be valid to all intents and purposes as a part of the constitution:

"Article XVI. The congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several states, and without regard to any census or enumeration"; therefore be it

Resolved, That the said proposed amendment to the constitution be, and the same is, hereby ratified by the legislature of the commonwealth of Massachusetts.

Resolved, That a certified copy of the foregoing preamble and resolution be forwarded by the governor to the secretary of state for the United States, in accordance with section two hundred and five of the Revised Statutes of the United States.

Passed in the Senate February 27, and, in concurrence, in the House of Representatives March 4, 1913.

RESOLUTIONS.

Resolutions relative to an amendment to the constitution of the United States giving congress power to regulate the hours of labor.

Relative to giving congress power to regulate hours of labor.

Resolved, That the general court of the commonwealth of Massachusetts, believing that there is injustice both to industries and labor by reason of the lack of uniformity in the laws of the several states respecting hours of labor, respectfully petitions the congress of the United States that congress propose an amendment to the constitution of the United States giving congress power to regulate the hours of labor and to make the same uniform throughout the United States.

Resolved, That certified copies of these resolutions be sent by the secretary of the commonwealth to the presiding officers of both branches of congress, and to each of the senators and representatives from Massachusetts.

In House of Representatives, adopted, January 30, 1913.
In Senate, adopted, in concurrence, February 4, 1913.

Resolutions in favor of the establishment of an international commission on the cost of living.

In favor of the establishment of an international commission on the cost of living.

Resolved, That the general court of the commonwealth of Massachusetts, believing that the world wide increase in the cost of living and the possibility of a continuance of this increase for an indefinite period is a matter of great importance, and believing that an international commission on the cost of living should be appointed to meet the urgent need to find a scientific basis for any reforms in this respect which can be accomplished by legislation, hereby approves of the effort to bring about such an international commission.

Resolved, That certified copies of these resolutions be sent

by the secretary of the commonwealth to the president of the United States, to the presiding officers of both branches of congress, and to each of the senators and representatives from Massachusetts.

In Senate, adopted, January 31, 1913.
In House of Representatives, adopted, in concurrence, February 6, 1913.

RESOLUTIONS RELATIVE TO THE ADOPTION BY THE HOUSE OF COMMONS OF A HOME RULE BILL FOR IRELAND.

On the adoption of a home rule bill for Ireland.

Whereas, The people of Ireland, after a long and bitter struggle which has enlisted the sympathy of all lovers of freedom throughout the world, have at last secured the adoption by the house of commons of a home rule bill for Ireland; and

Whereas, The bill was passed by a majority which appears to ensure the final success of the measure; therefore, be it

Resolved, That the house of representatives of the commonwealth of Massachusetts congratulates not only the people of Ireland but the people of Great Britain in general upon the passage through the commons of the home rule bill for Ireland; and

Resolved, That the secretary of the commonwealth be requested to forward a copy of these resolutions to the Honorable Henry H. Asquith, prime minister; to the Honorable John E. Redmond, leader of the Irish people, and to the Honorable Augustine Birrell, chief secretary for Ireland.

In House of Representatives, adopted, February 14, 1913.

RESOLUTION RELATIVE TO THE SALE BY THE UNITED STATES GOVERNMENT OF A CERTAIN TRACT OF LAND IN THE CITY OF CHELSEA.

Relative to the sale of a certain tract of land in Chelsea.

Resolved, That the general court of Massachusetts hereby requests congress to pass such a measure as may be necessary to procure forthwith the sale by the United States government of a certain tract of land in the city of Chelsea, formerly used for the purposes of a powder magazine, and such parts of the Naval Hospital grounds in the said city as are unde-

sirable for hospital purposes, the secretary of the navy having been authorized in the year nineteen hundred and six to sell the aforesaid land.

In House of Representatives, adopted, February 14, 1913.
In Senate, adopted, in concurrence, February 19, 1913.

RESOLUTIONS RELATIVE TO THE COST OF COAL.

Relative to the cost of coal.

Resolved, That the house of representatives of the general court of Massachusetts requests the members of congress to take such action relative to the cost of coal and the reputed shortage thereof, whether caused by mine owners or railroad companies, as will prevent unreasonable advances in the price of coal in the winter season when the needs of the people make them subject to this form of extortion; and also that congress will confer upon the commissioner of commerce and industry full power to control the price, supply and shipment of coal.

Resolved, That a copy of these resolutions be sent to the president, to the presiding officers of both branches of congress and to the senators and representatives from Massachusetts.

In House of Representatives, adopted, February 21, 1913.

RESOLUTIONS RELATIVE TO THE EQUIPMENT OF THE CHARLESTOWN NAVY YARD.

Relative to the equipment of the Charlestown navy yard.

Resolved, That the general court of Massachusetts respectfully requests the senate and house of representatives of the United States, through the honorable secretary of the navy, to take such steps as may be necessary so to equip the Charlestown navy yard that it may be utilized to its full capacity for the building and repair of vessels of war.

Resolved, That the members of congress from this commonwealth be requested to make such efforts as they may deem proper to further the purpose of these resolutions.

Resolved, That copies of these resolutions be sent by the secretary of the commonwealth to the senators and representatives in congress from Massachusetts and to the honorable secretary of the navy.

In House of Representatives, adopted, March 14, 1913.
In Senate, adopted, in concurrence, March 19, 1913.

RESOLUTION RELATIVE TO THE PASSAGE BY THE CONGRESS OF THE UNITED STATES OF LAWS RELATIVE TO THE SALE OF SMALL FRUITS.

Relative to uniform legislation governing the sale of small fruits.

Whereas, There is now no uniform legislation in the United States governing the sale of berries, cherries, currants and other small fruits by standard dry measure; and

Whereas, At various seasons berries, cherries, currants and small fruits are shipped from certain states for sale and distribution in other states; and

Whereas, The same are shipped and sold in small boxes, baskets or other receptacles which are not uniform in size or measure, but which are generally of less capacity than standard dry measure; and

Whereas, It is desirable that such berries, cherries, currants and small fruits be sold by standard dry measure, and that the boxes, baskets or other receptacles in which they are to be sold shall contain standard measure; therefore, be it

Resolved, That the general court of Massachusetts hereby requests the congress of the United States to pass laws and regulations which will provide that all berries, cherries, currants and small fruits shall be sold in the United States by standard dry measure, and further that the baskets, boxes or other receptacles in which they are sold shall conform to standard dry measure.

Resolved, That certified copies of these resolutions be sent by the secretary of the commonwealth to the presiding officers of both branches of congress, and to each of the senators and representatives from Massachusetts.

In House of Representatives, adopted, March 17, 1913.
In Senate, adopted, in concurrence, March 20, 1913.

RESOLUTIONS RELATIVE TO AN AMENDMENT OF THE CONSTITUTION OF THE UNITED STATES PROHIBITING THE PRACTICE OF POLYGAMY.

Advocating the enactment of an amendment to the constitution of the United States prohibiting polygamy.

Whereas, It appears from investigations recently made by the senate of the United States, and otherwise, that polygamy still exists in certain parts of the United States, notwithstanding the enactment of prohibitory statutes by the several states thereof; and

Whereas, The practice of polygamy is generally condemned by the people of the United States, and there is a demand

for its more effective prohibition by an amendment to the constitution of the United States; therefore, be it

Resolved, That the general court of Massachusetts hereby requests that congress will enact and submit to the states for ratification an amendment to the constitution of the United States prohibiting polygamy and polygamous cohabitation, and giving congress power to enforce such prohibition by appropriate legislation.

Resolved, That the secretary of the commonwealth is hereby directed to send a copy of these resolutions to the president of the senate and the speaker of the house of representatives of the United States, and to the senators and representatives in congress from Massachusetts.

In House of Representatives, adopted, March 28, 1913.
In Senate, adopted, in concurrence, April 2, 1913.

RESOLUTIONS RELATIVE TO THE NATIONAL FORESTS.

Relative to federal control of the national forests.

Whereas, It is for the interest of the whole people that federal control of the national forests should be continued; and

Whereas, The protection, administration and development of the national forests involve a financial burden beyond the ability of any state to assume; therefore be it

Resolved, That the general court of Massachusetts urges that the policy established by the government of the United States in regard to the federal conservation and development of the national forests should be maintained, and that the control of the national forests should not be turned over to any state, or to any individual or corporation.

Resolved, That copies of these resolutions be sent by the secretary of the commonwealth to the presiding officer of each branch of congress, and to each senator and representative from Massachusetts in congress.

In House of Representatives, adopted, April 10, 1913.
In Senate, adopted, in concurrence, April 15, 1913.

RESOLUTIONS OF SYMPATHY FOR THE SUFFERERS BY THE RECENT FLOODS AND FIRES IN THE STATE OF OHIO AND ELSEWHERE.

On the recent floods, etc., in Ohio and elsewhere.

Resolved, That the members of the general court of Massachusetts hereby express their deep sympathy with their

On the recent floods, etc., in Ohio and elsewhere.

fellow citizens in the state of Ohio and elsewhere who have suffered from the terrible storm, floods and fires which have recently devastated certain parts of the west, and especially do they offer their sympathy to those whose near and dear relatives have been torn from them by sudden and violent death; and

Resolved, That the members of the general court regret that they cannot lawfully pass a measure enabling the commonwealth itself to contribute to the relief of the sufferers in Ohio, but they are confident that this deficiency will be more than supplied by the generosity of the individual citizens of Massachusetts, all of whom are shocked and grieved by the catastrophe which has overwhelmed their fellow citizens in distant states.

In House of Representatives, adopted, April 10, 1913.
In Senate, adopted, in concurrence, April 15, 1913.

RESOLUTIONS RELATIVE TO THE TARIFF.

Relative to tariff legislation.

Whereas, On April 3, 1913, his excellency, Eugene N. Foss, governor of Massachusetts, recommended in a message of that date that the legislature address the congress of the United States with reference to the tariff legislation now pending; now, therefore, be it

Resolved, That, in conformity with this recommendation, the legislature of Massachusetts respectfully submits to the congress of the United States the following considerations in regard to tariff legislation: —

With many of the arguments and conclusions presented by his excellency the governor in his message hereto appended, the legislature is not in accord, but is in full agreement with him as to the importance of the subject, representing as do the members of the legislature a state conspicuous both for the extent and the variety of its industries, many of which are gravely affected by the tariff laws of the United States. Be it further

Resolved, That at the outset the legislature respectfully calls attention to the following statement in the message of his excellency the governor: —

"The concrete political expression of the popular demand appears in the election of a Democratic president and a Democratic congress; but the two platforms which endorsed the principle of protection received, in the votes of the

candidates who stood upon them, a greater endorsement by the American people at the last election than the platform which repudiated the principle of a protective tariff."

Relative to tariff legislation.

Resolved, That the legislature believes that there is no doubt that a large majority of the voters of the United States cast their votes in favor of maintaining the protective principle in tariff legislation, and that the voters of the United States have given no mandate to congress in favor of tariff legislation based on free trade principles.

Resolved, That the policy of opening the markets of the United States to the unrestricted competition of the rest of the world, advocated by the President in his message, and the pending bill which is a long step toward the complete establishment of that policy, appear to the legislature to be in direct contravention of the wishes of the voters of the United States and especially of this commonwealth as expressed in the last election.

Resolved, That the legislature therefore respectfully urges that any tariff legislation undertaken by congress be based upon the protective principle, and that the legislature is of opinion that there should be a reasonable protection accorded to all industries, sufficient to maintain American wages and American standards of living and to prevent the necessity of reductions either in the rates of wages or in the total amount of the wage fund paid out. Be it further

Resolved, That a tariff commission of disinterested experts, such as we have had in the past, should be re-established in order that tariff changes may be made scientifically, and not be the work of partisan committees irregularly modified by local and sectional interests.

Resolved, That the legislature believes that the maximum and minimum provisions should be continued, because in this way alone can we secure equal treatment in the markets of the world and protect ourselves against unjust discriminations.

Resolved, That the legislature is of opinion that the raw materials of any industry which never have been and cannot be produced in the United States, should be admitted free of duty; that the legislature especially urges upon congress the importance of maintaining a proportionate difference in rates between raw materials which bear a duty and the finished product into which such raw materials are converted; and that, to reduce the duty on the finished product and at the same time to increase or to leave untouched the existing

Relative to tariff legislation.

duty upon the raw material of such product, as is done in many instances in the proposed bill, is not free trade or open competition but a wanton destruction of the industries so treated.

Whereas, the pending bill authorizes the President to enter into reciprocal trade arrangements with other countries, a power which he already possesses without action on the part of congress;

Resolved, That the legislature is opposed to any so-called reciprocity which does not bring to the United States advantages which correspond with the concessions made; and that the legislature does not believe in reciprocity which purchases advantages for any industry or section at the expense of other industries or other sections of our common country, but that real reciprocity requires that where duties are removed, as this bill proposes, on certain articles of general consumption, the removal should be made dependent on our securing like concessions from the countries whence these articles are to be imported.

Resolved, That, believing that the principles which have been set forth above are the true principles to be followed in any tariff revision, and that only by adherence to them will the prosperity and business welfare of the country be promoted, the legislature respectfully submits them to the congress of the United States for its consideration.

Resolved, That the legislature respectfully urges upon the senate and house of representatives in congress to give reasonable opportunity to persons and corporations engaged in industries which will be affected by the proposed tariff legislation to be heard before final action is taken by the congress of the United States.

Resolved, That copies of these resolutions be sent by the secretary of the commonwealth to the presiding officers of both branches of the congress of the United States and to each senator and representative from Massachusetts in congress.

In Senate, adopted, April 25, 1913.

In House of Representatives, adopted, in concurrence, May 5, 1913.

The general court of 1913, during its annual session, passed 819 acts and 133 resolves which received executive approval.

Twelve (12) acts entitled, respectively, "An Act relative to promotion of call firemen to the permanent force in the city of Waltham", (chapter 49); "An Act relative to the salaries of the chaplains of the senate and house of representatives", (chapter 450); "An Act relative to the salaries of the deputy assistant district attorneys for the Suffolk district", (chapter 602); "An Act to establish the salaries of the county commissioners of the county of Barnstable", (chapter 603); "An Act to establish the salary of the sheriff of the county of Plymouth", (chapter 637); "An Act to establish the salary of the supervisor of loan agencies", (chapter 638); "An Act to establish the salaries of the county commissioners of the county of Essex", (chapter 651); "An Act relative to the sale and use of eggs unfit for food", (chapter 654); "An Act relative to pensioning laborers in the employ of fire districts and water districts", (chapter 671); "An Act to establish the salary of the official court stenographer for the county of Norfolk", (chapter 674); "An Act to define the extent to which peaceful persuasion is permitted", (chapter 690); and "An Act relative to the secretary employed by the trustees of hospitals for consumptives", (chapter 762), were passed, but failed to receive executive approval; as, however, they were not returned, with objections thereto, within five days after they had been received in the executive department, the general court not having been prorogued in the meantime, said acts have the force of laws, under the provisions of the constitution governing such cases, and have been so certified.

Ten (10) acts entitled, respectively, "An Act to establish the salaries of the officers in attendance at the civil sessions of the municipal court of the city of Boston", (chapter 488); "An Act to increase the salary of the chaplain at the Massachusetts reformatory", (chapter 496); "An Act to establish the office and salary of the chief deputy sheriff for attendance upon the superior court of the county of Suffolk", (chapter 501); "An Act to provide for an additional water supply for the city of Newton", (chapter 683); "An Act to provide for an additional water supply for the town of Brookline", (chapter 684); "An Act relative to wages of employees of the metropolitan park commission and of the metropolitan water and sewerage board", (chapter 685); "An Act to provide better transportation facilities for western Massachusetts", (chapter 765); "An Act to change the name, enlarge the membership and increase the powers of the board of railroad commissioners", (chapter 784); "An Act relative to the hours of labor of employees of street railway companies", (chapter 833); and "An Act to establish the salaries of certain members of the district police", (chapter 834) were passed and laid before the governor for his approval; were returned by him with objections thereto, to the branch in which they respectively originated; were reconsidered, agreeably to the provisions of the constitution, and the vote being taken on passing the same, the objections of the governor thereto notwithstanding, they were passed, and said acts have thereby the force of laws.

Twenty-two (22) acts entitled, respectively, "An Act relative to the licensing board for the city of Boston", "An Act to provide for the election of a board of license commissioners by the town of Clinton", "An Act relative to communication to the court of a former conviction of a defendant in police, district and municipal courts", "An Act to incorporate the Suffolk Law School", "An Act to provide that the officers in attendance on the East Boston district court shall wear uniforms", "An Act to establish a standard for butter and oleomargarine", "An Act to establish the salary of Thomas J. Gorman as messenger of the municipal court of the city of Boston", "An Act to authorize the city of Boston to appropriate money to be added to the rental of the East Boston tunnel", "An Act to prohibit the use of common drinking cups in public buildings and places", "An Act to increase the powers of the Cambridge Electric Light Company", "An Act relative to the listing of voters in the city of Boston", "An Act relative to the conveyance of destitute, neglected, abandoned or lost children", "An Act relative to the enrolment of members of political parties and to the changing and cancellation of party enrolment", "An Act relative to the civil service laws, rules and regulations", "An Act to provide that veterans of the Spanish war and the Philippine insurrection shall receive certain credits in civil service examinations", "An Act relative to the issue of stock and bonds by electric light and power companies and to the issue of preferred stock by certain corporations", "An Act to establish the salaries of the firemen and helpers in the state house", "An Act to provide for reimbursing the town of Arlington for reasonable expenses incurred in the care of persons having no legal settlement who were infected with the smallpox", "An Act relative to the use of the cinematograph and similar apparatus", "An Act to provide a tenure of service for certain teachers in the public schools", "An Act to require the labelling of receptacles containing pasteurized milk and milk produced outside the commonwealth", and "An Act to establish a board of registration of barbers", were passed and laid before the governor for his approval; were returned by him with his objections thereto; were reconsidered, and the vote being taken on passing the same, the objections of the governor thereto notwithstanding, they were rejected, and said acts thereby became void.

Two resolves passed by the general court of 1912, viz.:—"A Resolve to provide for an amendment to the constitution making women eligible as notaries public", and "A Resolve providing for an amendment to the constitution authorizing the referendum", were agreed to, and provision made for submitting the same to the people for their approval and ratification at the annual state election in November of the current year, in order that they may become parts of the constitution of the commonwealth. In addition to the foregoing, the general court of 1913 passed "Resolutions ratifying the proposed amendment to the constitution of the United States relative to the taxation of incomes".

The general court was prorogued on Friday, June 20, at 5.48 P.M., the session having occupied 171 days.

INAUGURAL ADDRESS

OF

HIS EXCELLENCY EUGENE N. FOSS.

At twelve o'clock on Thursday, the second day of January, his excellency the governor, accompanied by his honor the lieutenant governor, the members of the executive council, and officers of the civil and military departments of the government, met the senate and house of representatives, in convention, and delivered the following

ADDRESS.

Gentlemen of the General Court.

For the third time the people have entrusted me with the duty of outlining to you a program of legislation.

THE UNITED STATES SENATORSHIP.

Your duty is all the clearer, and its faithful discharge all the more urgent, by reason of the repeated refusal of the last legislature to obey the will of the people, even in respect to giving them the right to choose their next United States senator.

The people have the right to be represented in the United States senate. If you were to ignore that right — if you were to send to the senate not an acceptable representative of the people, but an advocate and champion of our dominant monopolies — you would prove false to your duty.

This is one measure of popular government upon which we come to this session with orders from the people that we cannot disobey. We must take our stand in this matter, either for or against real control of public affairs by the people. The people are not interested in popular government merely as a theory. Their interest goes beyond the formal exercise of the franchise. They wish the pressure

of their votes to be demonstrated in concrete results of public welfare. I have long and persistently urged upon the legislature the adoption of a law providing for the election of United States senators directly by the people. The last legislature adopted the principle by its ratification of the joint resolution of congress for the submission to the legislatures of the several states of a proposed amendment to the constitution of the United States providing for direct election of United States senators.

I urged the legislature four times to pass a law to carry out that principle, but they failed to do so.

In the last campaign every party endorsed the principle in its platform and demanded its adoption. I was urged, however, by both my opponents to recall the retiring legislature in special session, and to insist upon the passage of such a law. This I refused to do for the reason that I had already exhausted every means to secure such a law from that legislature. Moreover, I feared that their unfavorable action would be made a basis for the claim that the question had already been decided. I made it an issue that the legislators then to be elected should be ordered in unmistakable terms to pass such a law, and that no reason should be created for the evasion of their duty. The governor and every member of this legislature, under whatever political designation he was elected, stands pledged to bring about the adoption of a law for the election of United States senators by the people.

ELECTION BY A PARTISAN MACHINE WOULD BE AN OUTRAGE.

There can be no justification for the selection of a candidate by a caucus, for the people of this commonwealth have declared that they wish United States senators from Massachusetts to be chosen by popular vote.

LET THE PEOPLE ELECT NOW.

The mandate of the people of Massachusetts clearly does not refer to the election to fill the vacancy that would occur March 4, 1917. Such an assumption would make the issue purely academic. What we are pledged to do is to let the people elect the successor to the United States senator whose term expires March 4, 1913. I believe it is the duty of this legislature to postpone the election of a

United States senator, by adjournment of their joint sessions from day to day, to such time as a law shall have been passed and a popular election held under that law.

I also renew my recommendations for the largest possible degree of participation in public affairs by the people, and urge upon you again the passage of laws abolishing party enrollment and providing for the initiative, the referendum, and the recall. These measures received the endorsement of the people in the last election.

GOVERNMENT BY THE RAILROADS OR GOVERNMENT BY THE PEOPLE.

I asserted during the recent campaign that the one issue was whether the New Haven railroad monopoly shall rule Massachusetts, or the people of Massachusetts shall control their own government and regulate the transportation system of the commonwealth. I asserted that in this issue every other issue is involved, including that of popular government. I now assert that the election of a United States senator by a partisan caucus will be a declaration that the control of the legislature which has secured the defeat of every measure designed to effect a regulation of the railroad monopoly is still potent.

The greatest problem before the American people to-day is to maintain the government above railroad domination. This problem has reached a crisis in Massachusetts. The eyes of the nation are upon this legislature, looking to see how Massachusetts will meet this crisis. The country expects that our first step will be to bring about the selection of a United States senator who will be an effective champion of the cause of the people.

The railroad situation in New England, and especially in Massachusetts, is such as to cause the deepest concern.

In this day and generation no public service corporation can prosper if it lacks public confidence. The continued hostility of the press and the public to the great railroad system upon which we depend is sure to lead to serious results.

This hostility has been provoked by acts on the part of the railroad distinctly repugnant to public sentiment, and, indeed, in some instances in violation of law, and has been intensified by the failure of the railroads to afford the public the service to which it is entitled.

The situation to-day clearly demands something more than criticism. Some constructive policy must be adopted by the New England states, so that this great factor in our commercial life may be made to contribute its full share to our prosperity and development, instead of continuing, as at present, a cause of discord and vexatious uncertainty.

THE BOSTON RAILROAD HOLDING COMPANY.

In my two previous inaugural addresses I urged upon the legislature the dissolution of the Boston Railroad Holding Company, and the last legislature appointed a commission to report to the next session upon the desirability of prohibiting holding companies to exist in this commonwealth. Since the appointment of that commission events have occurred which have brought into high relief considerations which far outweigh any arguments on one side or the other which that commission may adduce in support of its recommendations. In the first place, the people declared on election day, with the greatest emphasis, that control of the government of this commonwealth by the New Haven railroad monopoly must end at once. Soon thereafter their wisdom was proved by the disclosures of the New Haven railroad's veto on the construction of the Grand Trunk railway's lines to Boston and Providence. It has been said that an alleged traffic agreement would be as beneficial to New England as the construction of a competing railroad in that it would permit the Grand Trunk to transport freight by way of Boston over the Boston and Maine tracks. But a railroad which must create traffic over its lines to pay cost, upkeep and expenses, affords to the public the benefit of real facilities and real competition. A traffic agreement, by its terms, destroys this competition, and makes sure the absence of these facilities. It leaves traffic to go, as formerly, over the existing lines which the railroad controlling the traffic must pay for and support.

The third event is the decision of the United States supreme court in the Union Pacific and coal roads cases, which makes it probable, and almost certain, that such an agreement of railroads to destroy or forestall competition is a violation of the anti-trust act.

The expressed will of the people, the overt act of the New Haven railroad monopoly, and the decisions of the supreme court of the United States are a combination which leaves

no loophole for independent opinion on the part of the legislature. If the Boston and Maine, and the New York, New Haven and Hartford railroads are not competing lines, and if the people of New England believe that this section can best be served by a consolidation of these lines, then the full responsibility of such a combination should be assumed, and proper arrangements should be made in Greater Boston and elsewhere for bringing about an actual physical connection of these railroads. If, on the other hand, these railroads are competing lines, they should not be permitted to combine under one management, as at present, even though the competing points do lie wholly within this commonwealth.

The effect of the destruction of this competition is felt in traffic extending to other states. The stifling of possible competition either within or without the commonwealth, through the law authorizing the incorporation of the Boston Railroad Holding Company, is absolutely unjustifiable. That law is a disgrace to Massachusetts, and should be removed from the statute books without delay.

MASSACHUSETTS SHOULD NOT ASPIRE TO CONTROL RAILROADS BEYOND HER BORDERS, BUT SHOULD EXERCISE FULLY HER REAL POWER TO REGULATE.

The reason asserted for the authorization of the Boston Railroad Holding Company was that the commonwealth might thereby retain control of a railroad system a part of the lines of which lay outside the commonwealth, and prevent the domination of the lines within the commonwealth by interests located in other states. The absurdity of this reason has been fully demonstrated. The authorization of this commonwealth cannot serve as a shelter against the anti-monopoly statutes of this or any other state, or of the national government. Nor would the actual exercise by this commonwealth of its option to purchase the Boston and Maine railroad give the commonwealth power to control more than the lines within the state, even if the commonwealth should determine not only to acquire the Boston and Maine railroad but actually to operate it. Neither the acquisition nor the operation of a single mile of line beyond the limits of the state would be within the power of the commonwealth. The power to acquire lines within Massachusetts and to operate them, the commonwealth has always

had; and exactly the same power is possessed by the other states over lines within their borders.

The result of the purchase of the Boston and Maine railroad in its entirety by the commonwealth would almost certainly be the sale of that road by the state to the New York, New Haven and Hartford Railroad Company. No other purchaser would be forthcoming. Massachusetts must leave the general laws to settle the question whether these roads may combine, without the prejudgment of that question by the act of incorporation of the Boston Railroad Holding Company, or the endorsement of that combination by a title derived from the commonwealth.

ADEQUATE STATE REGULATION THE ALTERNATIVE TO NATIONAL OWNERSHIP AND OPERATION.

It is clear that the commonwealth cannot control the railroad system by ownership merely or by ownership and operation. It is equally clear that if the commonwealth does not control the railroad system, the demand for control by regulation, ownership merely, or by ownership and operation, by the federal government, will soon become irresistible.

When, if ever, the federal government owns and operates the railroad systems of the country, the power of Massachusetts to control the railroad service within its borders, except through its representation in congress, will be absolutely gone. With mere federal regulation Massachusetts may co-operate, but in this co-operation it must secure proper service by its own agencies and efforts. For the regulation which will consider the special needs of the people of Massachusetts, little dependence can be placed upon the general regulation by national agencies. It may become evident that these agencies are inadequate even to correct evils of an interstate nature. The recent coal roads decision, after five years of delay, affords neither present relief nor hope for the future. In the event of failure to satisfy the needs of the people, both within the states and in a national sense, the issue of federal ownership and operation of railroads will have to be met. In the present crisis in Massachusetts, confronted as we are with the necessity of formulating a stable policy for the maintenance of our railroad facilities, it behooves us to take fully into account the probability of the acquisition and operation of the railroad systems of the United States by the national government.

We must do our part, by providing adequate regulation in this commonwealth, to make national ownership and operation unnecessary.

THE ARGUMENT FOR NATIONAL OWNERSHIP OF RAILWAYS.

A generation ago we should have dismissed the question of government ownership as of no importance. The process of amalgamation which during that period has knit the scattered and disjointed lines of railroad into something approaching a national unit, both as to ownership and operation, had not taken place.

There is no longer any basis for the fear that replacing private by governmental initiative will result in stagnation. For, under private initiative, the factor of economic need in determining the location and relations of lines has ceased to be the controlling factor. On the contrary, the people have been shown clearly that the purposes of private initiative are not only generally opposed to the needs of the public, but are actually embodied in a policy of comparative stagnation.

The railroad system has come under the power of a very few men. Its purpose now seems not to be to serve the public, but to levy the heaviest possible charge upon the productive energies of the country, and to expend the surplus in choking off competition.

This charge is paid by the public, and is substantially a tax. When the people pay taxes they insist on control of the rate and the disbursement of the revenue.

Under public ownership the fundamental purpose of the public service would for the first time become purely public, and that advantage would outweigh almost every benefit of private control that may be imagined. The opinion is gaining ground that the government could not possibly serve the country worse than the present masters of the railroad system have done.

THE PROBABILITY THAT PUBLIC OWNERSHIP WILL BE DEMANDED BY THE PEOPLE.

Whether or not the old notion that the government cannot operate railroads efficiently is correct, that notion has lost much of its currency. The management of the postal service, the extension of the rural free delivery, the parcels

post, and the inauguration of postal savings banks are steps toward government management that will never be retraced, but will lead rather to a more general adoption of that policy. The postmaster general has already recommended that the government conduct the express business of the country and buy out the existing companies. The wonderful results of the irrigation service of the national government are so real that the demand for more is incessant. The policy of government leasing of oil, gas, coal and other mineral lands has come to stay, and conservation has become a matter of governmental initiative. The construction of the Panama canal is an achievement which will be pointed to for all time as proof that in our democracy the government can conduct large enterprises with complete honesty and effectiveness. Such a program, moreover, would be the logical outcome of the policy of protection to American production, and the advocacy of reliance upon a strong central government. We need not be surprised, therefore, to see this issue taken up by the conservative wing of the republican party.

We may, at all events, expect to have pointed out in the near future the needs of the public which government ownership will meet, and the advantages which the government has over private interests in meeting those needs. It behooves us to consider them as elements of probability that the alternative to adequate state regulation, that is, national ownership and operation, will be seriously considered by the people.

REASONS FOR A DEMAND FOR PUBLIC OWNERSHIP.

The railroads of the United States to-day are in a sense not primarily engaged in public service so much as in private financial operations. The chief interest of their masters is in their stocks and bonds. The public, too, is concerned about railroads as subjects for speculation or investment. Hundreds of millions of dollars are tied up continually to carry the stocks of American railroads, and like amounts are invested in their securities. All of these evidences of railroad indebtedness carry an interest burden of five or six per cent, not counting the initial cost, usually very heavy, of raising the money, and the waste in spending it. This burden is borne by the people, and represents a tax upon American commerce and industry.

If the government owned these roads, at whatever price acquired, the interest rate would be cut in half, even if all the evidences of indebtedness were reissued as government bonds at the aggregate valuation of all the railroad stocks and other securities now issued. And the cost of all future inflation would be saved to the public. As a result of the refunding of railroad securities as government bonds, the hundreds of millions of dollars tied up in speculative transactions would be returned to the ordinary channels of trade and industry. The incentive, moreover, to giving rebates, discriminating, and other practices, which regulation does not seem to be able to eliminate, would at once disappear. So would the distribution of traffic and the arrangement of relations between lines on the basis of private profit. Without control of the railway system the trust system cannot long survive; railway ownership is the chief support of the so-called money trust. Whatever the force of this reasoning, it cannot be doubted that if the people of this country become convinced that it is valid, the day of government ownership and operation will not be long delayed. They will easily be persuaded that for the millions expended by the present New Haven management, for example, as the price of the New Haven railroad monopoly, and to deprive New England of transportation facilities, the government could have built a railroad to every man's door. They will believe that rates could be substantially reduced. They will look for the immediate removal of those unjust exactions which are now added to the cost of necessaries of life by the railroads which control distribution, and, often, the sources of supply. They will believe that the private parlor car and sleeping car monopoly, the private express monopoly and all the other private monopolies which exist in connection with private ownership of railroads would be destroyed.

They will believe that under public ownership the government would adopt a progressive policy of developing the country's resources and improving public property, and could make profitable investments of millions in public improvements and in the public service, without the fear, now ever present, that this money will be diverted from public benefit to the private profit of the railroad monopoly. And they will believe that each section as a unit will get better results from solidarity in representation in congress

on railroad matters than any now given by the uncontrolled railroad monopoly of the sections. They will believe that the alleged unjust exactions from the government for carrying the mails, and the anticipated exactions in connection with the parcels post, will disappear. And they will believe that the government will at once apply the pension system, the compensation system and all the other systems supposed to represent modern social justice. They will expect to see, moreover, a just reapportionment of wages, a dignity in the railroad civil service, a career for the many now excluded from the management of our chief public enterprise, the railroads, and a steady job, the foundation of national prosperity, for hundreds of thousands. And they will see in this the settlement of the railroad problem, the labor problem, the trust problem, the currency problem, the "cost of living" problem, including the food and coal problems, and, with the steadying effect of all this, the elimination of the problem of financial panics. As a practical issue, public ownership of railroads may soon be the only policy left. Those who have just given the people proof that foreign capitalists may veto our proposals for new railroads will set up in vain their arguments based upon the supposed impracticability of government ownership and operation. Those who believe that public ownership of public property and public performance of the public service of railroad transportation are socialistic and otherwise undesirable need not look to the present masters of the railroad system to defeat the proposal of government ownership. Most of them desire it, and have been piling issue upon issue of bonds and stocks on their properties in order, if occasion comes, to unload upon the government.

The only way to postpone national ownership of railroads and to retain in the commonwealth the power to regulate our transportation system is to assert that power at once, and to apply it without delay.

A PUBLIC-SERVICE COMMISSION ABSOLUTELY NECESSARY.

I therefore renew my recommendation, repeatedly made, that a powerful public service commission be created, armed with mandatory authority over the public service, so far as this is within the power of Massachusetts to control.

MANY IMPROVEMENTS ESPECIALLY CALLED FOR: SAFEGUARDING LIFE.

The people expect you to make this control strong enough to require from the transportation corporations that they safeguard the lives of their passengers and employees; that they equip the roads with fireproof cars; that they lengthen the cross-over switches to a proper standard; that they provide quick and adequate settlement for damages in case of accident or loss of life or property; and that they make their cars clean, wholesome, and sanitary in every way.

REGULATION OF RATES AND SERVICE.

This commission should have power to compel the adoption of an interchangeable mileage. It should enforce such train schedules as will provide convenient connections between trains at junction points.

This commission should have authority to fix freight and passenger rates on an equitable basis, to examine and audit the books of all transportation companies at any time, and to hold the railroad corporations to a sworn statement of their current operating expenses and disbursements. It must have authority to order the construction of railroad extensions, side tracks, and spurs wherever required.

TUNNELS AND ELECTRIFICATION.

It is equally important that this commission should have power to supervise and force the electrification of all the railroads within the metropolitan area, and their connection through whatever tunnel system is required to unite our principal railroad and water terminals into a complete system, giving us adequate facilities for rail and deep water connections.

If you were to fail in this crisis to create a public service commission with mandatory power, this legislature would fall under just public condemnation.

It is your obvious duty to exhaust every means within your constitutional power to regulate our public service, and to compel from its existing agencies the full discharge of their duty to the public.

PROPORTIONATE PUBLIC REPRESENTATION IN RAILROAD DIRECTORATES AND CO-OPERATIVE REGULATION BY ALL THE STATES.

A second measure, by which the benefits of both private and public ownership may be secured, would be to enact a law providing that henceforth the governor shall appoint a number of the majority of the directors of every corporation which owns, operates or controls a railroad in Massachusetts, proportionate to the mileage of that railroad in the state. Thus, if every state in which the railroad operates shall pass a like statute, the directors representing these states shall constitute a majority of the board of directors of the railroad. The act should provide further that the commonwealth shall obligate itself to purchase at any time, at a price to be fixed by a court of competent jurisdiction, any share of stock offered to it for purchase, unless the commonwealth shall at the time of said offer already have acquired and then hold shares of the capital stock of that corporation equal in its proportion to the total capital stock to the proportionate representation of the commonwealth in the majority of the directorate of that corporation. Also, the directors of any railroad shall not have the power to withhold the declaration and payment of any dividend that has been earned over and above a reserve for depreciation.

Such a measure would accomplish directly every result which could be achieved indirectly through the condemnation, purchase and operation by the commonwealth, or any other state, of every mile of railroad over which it has power. It would also preserve to the public every advantage of private ownership and management. It would not only be fair to the stockholders, but would benefit them.

Now they are subject to the arbitrary control of the small group of stockholders representing a fraction of a majority of the shares of capital stock. Such a group of stockholders, by their solidarity, are able to control the railroad as if it were theirs alone, and to withhold current earnings in order to participate in special dividends declared when they have acquired stock temporarily for the purpose of such participation, and when other stockholders have been discouraged. The obligation of the state to purchase this stock would be a complete justification for participation by the public in the management of the railroads.

Such a measure would preserve all the benefits of federal regulation and state regulation, and at the same time permit co-operation of contiguous states. No New England state would refuse to pass such a law, nor would any state in the country. It would afford the opportunity to penetrate every recess of the twilight zone of railway control without violation of the principle of national unity or the theory of state rights, or any clause of the constitution of the United States. It could be put into effect without delay in any state or in all the states, and would provide an automatic and proportional adjustment of the rights and the wishes of each state as to the ownership, operation and management of the railroads of the country.

Through the passage of such a law this legislature may give a model statute to the other states, and mark the beginning of a sound and just settlement of the railroad problem of the United States.

I am confident that our New England business men and the stockholders of these railroads will give their co-operation to the public authorities of the New England states in their efforts to bring about a solution of the railroad problem that will conserve the interests of these stockholders and those of the public. I propose that Massachusetts take the first step toward concerted action to this end.

WATERWAYS.

The railroads alone, however, cannot furnish cheap and adequate transportation for all the needs of commerce, trade and industry. The improvement of our coast and inland waterways is absolutely necessary. The current development of the port of Boston, important as it is, is only one element of this policy. We must develop commercially the Connecticut, Taunton and Merrimac rivers, and encourage coastwise shipping. While we look to the federal government for co-operation and financial assistance in these important works, we must not throw the burden wholly upon congress. The appropriation of the public funds and the extension of the state's credit to all these enterprises is now absolutely requisite if we are to regain our former commercial prestige. In default of adequate waterways, we now depend upon the railroads for the shipment of many low grade freights which could be carried with far greater economy by water.

The cost of transportation by water is potentially far less than by railroad, and the public should have the benefit of this saving.

But, according to the recent report of the United States commissioner of corporations, in practically all the coast waters of the country, railroad or steamship consolidations dominate water transportation. Water lines along the eastern seaboard have become to a large extent subsidiaries of railroads. The New Haven system has pursued a determined policy of suppressing any effective competition on Long Island sound, and almost completely controls the water traffic between New York city and New England ports.

We must develop our coast and inland waterways, and remove their control from any private transportation interest.

The industries of New England should have their raw materials on practically as favorable a basis as any other section. We should attempt to bring back the industries in which the cost of transportation is a serious factor, which, one by one, as the culmination of a hundred years of short sightedness, have been permitted to be moved westward and southward, where transportation, particularly by water, is cheap and ample.

Cheap rates on low grade freights are the basis of industrial success. These rates may be attained only with an adequate system of waterways, and with water transportation free from railroad domination.

We should co-operate in waterway development with neighboring states, promote concerted action of all the states, and support the efforts of the national government, — if for no other reason than for our own salvation.

Since the general court has placed the rivers of the commonwealth under the jurisdiction of the harbor and land commissioners, I recommend that liberal appropriations be made to them for the commercial development of these waters.

The completion of the Panama canal will form the first important step in the development of our waterways upon a national scale. Our own work of maritime and inland waterway development must now follow rapidly, and upon broad lines, if we are to maintain our proper part in the commercial expansion of our country.

The canal project is, in fact, of especial significance to us in relation to our railroad problems. The canal was de-

manded by the American people as a protest against the selfish policies of the trans-continental railroads. Its construction by public initiative expresses the popular conviction that such enterprises must be removed wholly from corporate control and influence. And the recent passage of an act of congress prohibiting all railroads from direct or indirect ownership or control of steamship lines which might compete with them, again expresses the determination of the people to set all our transportation services free from monopolistic control.

Massachusetts must abate nothing of her present zeal for the development of our harbors and rivers. To do so would remove from us still further the hope of re-establishing our right to adequate transportation service.

On the contrary, we must proceed with redoubled energy. Fifty million dollars is not an unreasonable sum to place immediately at the disposal of the port directors for the necessary harbor improvements, and the acquisition and development of necessary terminals in the metropolitan district.

We are the nearest ice free port to Europe, and we have behind us the richest continent on earth. The Panama canal will bring us into direct relations with the far east. We must prepare for the tremendous increase in our shipping to which we are entitled, and which we can secure if we are equipped for it.

To extend the public credit in this direction will be the most profitable investment the people can make; and I believe that to continue our past niggardly and short sighted policy would be supreme folly. Our waterfront, harbors, docks and terminals are the commonwealth's greatest asset. To realize upon them we must have modern docks; our railroad terminals must be made effective as part of our seaport development; connecting tunnels must be provided wherever required; the entire power equipment of our railroads within our metropolitan area should be operated by electricity, as required by modern practice; throughout the metropolitan zone a uniform rate should be established; and our principal seaport must be made ready for our work of placing New England once more upon the commercial map.

The directors of the port of Boston deserve much credit for their prompt action in commencing practical work upon the improvement of Boston harbor. This enterprise has,

I believe, contributed more than any other cause to securing for Boston the important new steamship service which is already scheduled.

TOLLS ON THE PANAMA CANAL.

I recommend that the legislature memorialize the congress to open the Panama canal free of tolls to the ships of all nations as a gift of the United States to the cause of commercial freedom, and an earnest of our purpose to lead in the movement for true international reciprocity and the abandonment of the policy of retaliation. The cost of international strain and strife is out of all proportion to any possible advantage; the possible benefits of international generosity are too great to be measured.

FURTHER RECOMMENDATIONS.

There are other important matters to which you will be called upon to give your consideration. Upon many subjects I shall at an early date submit recommendations in special messages. I have in this message confined myself to a discussion of the supreme issue, — the struggle between the people and the transportation monopoly for control of the government. I believe that this session may do much for the maintenance of our prosperity and the ultimate solution of this great problem. I urge you to proceed to the performance of your duty in this matter, mindful of the mandate of the people, by whose votes and as whose servants you hold your present power.

SPECIAL MESSAGES.

THE FOLLOWING SPECIAL COMMUNICATIONS WERE MADE BY HIS EXCELLENCY THE GOVERNOR TO THE GENERAL COURT DURING THE ANNUAL SESSION.

[To the honorable senate and house of representatives, January 3, 1913.]

I have the honor to herewith present, in compliance with chapter 50 of the resolves of 1860, a report of the ninety-eight pardons issued by the governor, with the advice of the council, during the year of my administration just closed. Of the number thus released, thirty-one were in the state prison, twenty-two in the Massachusetts reformatory, twenty-six in houses of correction, fourteen in the reformatory for women, two in jail, one in the state farm and two in the prison camp and hospital. Serious illness was the controlling reason for the discharge of three.

EUGENE N. FOSS.

Pardons.

No. 1. Roy Hamilton. Convicted of attempt to break and enter, Superior Court, Essex county, Jan. 19, 1911. Sentenced to the Massachusetts reformatory on an indeterminate sentence. Pardoned January 10. It was believed that the purpose of his commitment had been accomplished. Immediate employment awaited him.

No. 2. Eben W. Sears, Jr. Convicted of extortion, Superior Court, Essex county, September term, 1911. Sentenced to the house of correction for two years. Pardoned January 10, upon the recommendation of the mayor and many citizens of Lynn. This was his first offence. He served the United States during the Spanish war and later as a member of the police force of Lynn with great credit to himself and the service. It was believed that the prisoner had been sufficiently punished and the ends of justice satisfied.

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No. 3. EMERY J. DANIELS. Convicted of stubbornness, District Court of Southern Essex, Oct. 4, 1911. Sentenced to the Massachusetts reformatory on an indeterminate sentence. Pardoned January 17, upon the recommendation of the justice who imposed the sentence, the probation officer, and the mother of the boy who was the complainant, who believed that the purpose of his commitment had been accomplished. He was but fifteen years of age and had a perfect conduct record in the reformatory.

No. 4. WALTER A. SCOTT. Convicted of murder, second degree, Superior Court, Suffolk county, April term, 1895. Sentenced to the state prison for life. Pardoned January 31. Scott fell into bad company and in December, 1894, when he was about nineteen years of age, he, with a man much older and of questionable character, stole a pocketbook from a woman in the Back Bay section of Boston. Both were chased by two coachmen. During the struggle one of the coachmen was shot by his companion and died soon after. Scott was first employed in the knitting department at the prison, but after about two years he was put on electrical work, that being his regular business before commitment. With a consulting engineer from outside, he assisted in installing the complete present lighting system of the prison. He had been in the knitting department for eight years, and at the time of his release was in charge of the machinery in all three of the knitting departments and floorman in charge of the underwear department. This was his first offence, but being a participant in the robbery he was convicted and could only be sentenced to the state prison for life. Immediate employment awaited him. It was believed that he would become a useful and worthy citizen. No one opposed the pardon.

No. 5. CATHERINE AHEARN. Convicted of drunkenness, East Boston District Court, Oct. 25, 1911. Sentenced to the reformatory for women on an indeterminate sentence. Pardoned January 31, upon the recommendation of the justice who imposed the sentence and who believed that she had been sufficiently punished. This was her first offence.

No. 6. WILLIAM SMITH. Convicted of breaking and entering, Superior Court, Suffolk county, Dec. 14, 1910. Sentenced to two years in the house of correction. Par-

doned February 14. Smith, while at work in prison, lost the sight of one eye and was fast losing the sight of the other. He was released to go to his home in Connecticut for treatment by an eye specialist. Pardons.

No. 7. JAMES A. HAMILTON. Convicted of bribery, Superior Court, Essex county, Oct. 21, 1910. Sentenced to the state prison for from two and a half to four years. Pardoned February 21, upon the petition of a large number of citizens of Lawrence, where the crime was committed, on the ground that justice had been satisfied by the punishment already endured. The district attorney concurred in the recommendation.

No. 8. SAMUEL KRESS. Convicted of conspiracy, Superior Court, Essex county, July 10, 1910. Sentenced to the house of correction for three years. Pardoned February 21, upon the petition of a large number of citizens of Lawrence, where the crime was committed, on the ground that justice had been satisfied by the punishment already endured. The district attorney concurred in the recommendation.

No. 9. CHIN TOY alias CHARLIE CHIN. Convicted of murder, second degree, Superior Court, Suffolk county, Feb. 6, 1904. Sentenced to the state prison for life. Pardoned February 21. There was reasonable doubt of his guilt. He was sixty-six years of age and not in the best of health, and at the most had but a few years to live. He was pardoned to remove at once to China. The crime in question was the murder of a Chinaman and the wounding of two others in the Chinese quarter of Boston, under circumstances which indicated a determination on the part of one faction to avenge itself upon members of the other. There was no evidence to show that Chin Toy fired the fatal shot.

No. 10. PAULINE GIMPIO. Convicted of neglect of minor child, East Boston District Court, Jan. 20, 1912. Sentenced to the reformatory for women on an indeterminate sentence. Pardoned February 21. This woman was unmarried, and the father of the child was away when she was arrested. He was willing to marry her and give both the woman and child a home. They had been keeping company for several years. She was pardoned upon condition that she marry before

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leaving the reformatory, which condition was complied with.

No. 11. DAVID MOONEY. Convicted of murder, second degree, Supreme Judicial Court, Suffolk county, Sept. 20, 1881. Sentenced to the state prison for life. Pardoned February 28, as an act of executive clemency. Mooney had served nearly thirty-two years of his sentence. It was believed that the ends of justice had been satisfied by the imprisonment already suffered.

No. 12. PATRICK J. KENNEY. Convicted of assault, Superior Court, Middlesex county, Dec. 24, 1906. Sentenced to the state prison for from eight to ten years. Pardoned February 28, upon the recommendation of the selectmen and nearly all the town officials of Watertown, where the crime was committed. There were many extenuating circumstances at the time of the commission of the offence. The woman who was assaulted also recommended the pardon. He was only twenty-three years of age and was under the influence of liquor.

No. 13. JOHN MCMANUS. Convicted of robbery, Superior Court, Suffolk county, March term, 1911. Sentenced to the house of correction for three years. Pardoned February 28, upon the recommendation of the district attorney, who had become convinced that McManus was innocent of the crime for which he had served nearly a year, and who earnestly recommended that he be pardoned immediately.

No. 14. PARKER ROBBINS. Convicted of assault, Superior Court, Essex county, Feb. 15, 1909. Sentenced to the state prison for from seven to nine years. Pardoned March 5, upon the recommendation of the party assaulted, the district attorney, and many prominent citizens of Gloucester, where the crime was committed. He had never before been convicted of any offence. A good home and employment awaited him in a western state.

No. 15. CARL G. HUTCHINSON. Convicted of larceny, Municipal Court of the Dorchester District, July 14, 1911. Sentenced to the Massachusetts reformatory on an indeterminate sentence. Pardoned March 13, on the ground that the punishment already suffered had satisfied the demands

of justice. The articles stolen were worth not over $4. He had no previous record of wrong doing and immediate employment awaited him.

No. 16. DAVID ROSENBERG. Convicted of larceny, Superior Court, Essex county, Sept. 26, 1910. Sentenced to the house of correction for two and a half years. Transferred to the reformatory. Pardoned March 13, upon the recommendation of the mayor, nearly all the city officials of Lawrence and the district attorney, on the ground that the sentence was somewhat excessive and the ends of justice had been served.

No. 17. ROSE BILLODEAU. Convicted of drunkenness, Fourth District Court of Bristol, Oct. 27, 1911. Sentenced to the reformatory for women on an indeterminate sentence. Pardoned March 20, upon the recommendation of her husband, who made the complaint, and the chief of police of Mansfield, on the ground that she had been sufficiently punished and would hereafter lead an orderly life. She had three small children who needed a mother's care.

No. 18. SAMUEL I. GORDON. Convicted of conspiracy, Superior Court, Suffolk county, March term, 1910. Sentenced to the house of correction for three years. Pardoned March 20. The district attorney stated that the condition of this man's wife and children had become almost pitiable, and that they were reduced to a condition very near to poverty. "From all I have learned," he said, "it would seem that he has felt the punishment keenly, and if reformation is to be expected, it would seem that it had been accomplished."

No. 19. RALPH L. FREEMAN. Convicted of breaking and entering, Superior Court, Plymouth county, June 13, 1911. Sentenced to the Massachusetts reformatory on an indeterminate sentence. Pardoned March 20, upon the recommendation of the district attorney, who believed that the young man (who was but eighteen years of age) had seen the error of his ways and should be given an opportunity to redeem himself. A firm in Brockton stood ready to employ him at once.

No. 20. JOHN H. CULLEN. Convicted of larceny, Superior Court, Suffolk county, September term, 1910. Sen-

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tenced to the state prison for from four to six years. Pardoned March 20, upon the recommendation of many prominent clergymen and business men of Boston. He was never accused of any crime or wrong-doing before. His many friends had the fullest confidence that further confinement would not serve any beneficial purpose, either for him or for the community. He had a wife and six children of whom only two were partly self-supporting, the others being entirely dependent upon him. Friends stood ready to give him immediate employment. No one opposed the pardon.

No. 21. HARRIETT H. SMITH. Convicted of adultery, Municipal Court of Boston, Aug. 15, 1911. Sentenced to the reformatory for women on an indeterminate sentence. Pardoned March 20, upon the recommendation of the probation officer, on the ground that she had been reasonably punished. She was not represented by counsel at the trial. The man arrested with her appealed from his sentence and in the superior court was fined $20, which he paid.

No. 22. JOHN J. COLLINS. Convicted of drunkenness, Central District Court of Worcester, Jan. 31, 1912. Sentenced to the Massachusetts reformatory on an indeterminate sentence. Pardoned March 20, upon the recommendation of the probation officer, who believed that the ends of justice had been served. He had borne a good reputation, worked steadily and had never been arrested before.

No. 23. AUGUST B. PEARSON. Convicted of larceny, Municipal Court of the Dorchester District, Aug. 1, 1911. Sentenced to the Massachusetts reformatory on an indeterminate sentence. Pardoned March 27, upon the recommendation of the justice of the Dorchester Municipal Court and the probation officer, who believed that the ends of justice would be served by his release at this time.

No. 24. THOMAS LOWE. Convicted of murder, second degree, Supreme Judicial Court, Essex county, Dec. 3, 1884. Sentenced to the state prison for life. Pardoned March 27. The crime was committed when he was under the influence of liquor. He was a young man of good disposition and habits except for a propensity to go upon an occasional spree. He was sometimes a visitor at the house of a Mr. Sullivan, and was fond of his young children and accustomed

to make them gifts of candy and other things likely to please children. His relations with the family were most cordial. For more than a week previous to the offence he had been on a drunken spree, and while in this condition he went to the Sullivan house where two of the children were alone. He was seen to leave the house and stagger to the doorstep of a house near, where he was later found in a drunken stupor. One of the little Sullivan girls was found lying on the kitchen floor, having been apparently strangled to death. No suggestion of a motive for the crime has ever been made. After being taken to jail Lowe had a severe attack of delirium tremens, and has always claimed that he had no knowledge of what he had done. The Sullivan family signed a petition for his pardon. He was released upon condition that he return to England, his native country, and never come to the United States again. Pardons.

No. 25. NELLIE MAY WHEELER. Convicted of lewdness, First District Court of Northern Worcester, Jan. 4, 1912. Sentenced to the reformatory for women on an indeterminate sentence. Pardoned March 27, upon the recommendation of justice Walker of the District Court of Northern Worcester. The defendant has always claimed that she was innocent of the crime. The justice stated that there was sufficient evidence of the guilt of the defendant, but he believed that the ends of justice would be satisfied if she were pardoned at this time, as doubtless her punishment had been sufficient, particularly if a suitable place could be found for her where she could have an opportunity to be under good influences. Her sister, who stands very high in the community, was anxious to take her to her home in Boston.

No. 26. DOMINICK ANZELMO. Convicted of adultery, Superior Court, Suffolk county, August term, 1911. Sentenced to the house of correction for two years. Pardoned April 3. Anzelmo had a wife and five children (the eldest child being only ten years old) in very destitute circumstances. The wife condoned the offence and friends secured him employment.

No. 27. JOHN J. HOLIHAN. Convicted of robbery, Superior Court, Suffolk county, Dec. 13, 1909. Sentenced to the state prison for from four to six years. Pardoned April 10. Holihan belonged to a good family and had never been

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arrested before for any offence. Immediate employment awaited him. At the time of the indictment and at the trial he was not represented by counsel, thereby being unable to take advantage of any legal rights he might have had. The judge who imposed the sentence stated that "if this young man has shown by his conduct in prison that he may be trusted to reform, I see no reason why he should not be pardoned now that he has served a substantial part of his sentence." He had a perfect conduct record in prison.

No. 28. AUGUSTUS WILLIAMS. Convicted of robbery, Superior Court, Suffolk county, March 8, 1909. Sentenced to the state prison for from five to six years. Pardoned April 10, upon the recommendation of the complainant, the present Catholic chaplain and the former chaplain of the state prison, who believed that the young man was completely changed and would hereafter make a good citizen.

No. 29. PATRICK J. DRISCOLL. Convicted of breaking and entering, Superior Court, Essex county, Sept. 27, 1910. Sentenced to the house of correction for three years. Pardoned April 3, upon the recommendation of ex-district attorney Peters and justice John J. Ryan of the District Court of Northern Essex, on the ground that the sentence was excessive and the ends of justice would be served by a release at this time. Steady employment awaited him.

No. 30. MICHAEL J. COYNE. Convicted of larceny, Superior Court, Essex county, Sept. 27, 1910. Sentenced to the house of correction for two and a half years. Pardoned April 3, upon the recommendation of the district attorney and city marshal, who believed that the ends of justice had been accomplished.

No. 31. MORRIS NAYOR. Convicted of receiving stolen goods, Superior Court, Suffolk county, Jan. 15, 1912. Sentenced to the house of correction for two years. Pardoned April 11. The petitioner had made full and complete restitution to all parties. He was well advanced in years and was in ill health, and further confinement might tend to serious consequences. He had always led a good and useful life. He had a large family which was dependent upon him. A party to the offence had made a sworn affidavit that the pris-

oner was made the victim of a conspiracy and that he never intended to commit wrong. Pardons.

No. 32. HENRY MOREAU. Convicted of receiving stolen goods, Superior Court, Suffolk county, Jan. 15, 1912. Sentenced to the house of correction for three years. Pardoned April 10, upon the recommendation of the district attorney and the probation officer, who were of the opinion that he was not guilty of the crime for which he was committed, and that it was simply a case of larceny, for which two or three months in the house of correction would have been a sufficient sentence.

No. 33. WILLIAM F. DELANEY. Convicted of assault, Superior Court, Bristol county, June 29, 1909. Sentenced to the state prison for from six to ten years. Pardoned April 17, upon the recommendation of the district attorney and many prominent citizens of Newburyport, where the crime was committed. At the time of the assault he was in a weakened mental and physical condition, and was committed while he was on the verge of delirium tremens and under the influence of drugs. It was believed that the ends of justice had been satisfied by the imprisonment already suffered. His relatives promised to secure immediate employment for him.

No. 34. ANNIE MURPHY. Convicted of drunkenness, First District Court of Eastern Middlesex, Jan. 20, 1912. Sentenced to the reformatory for women on an indeterminate sentence. Pardoned April 17. She had a husband and three small children who needed her care and attention. It was believed that she had been punished sufficiently to have learned a lesson, and would hereafter refrain from the use of intoxicating liquor.

No. 35. ABNER PETERSON. Convicted of robbery, Superior Court, Middlesex county, Dec. 21, 1908. Sentenced to the house of correction for five years. Pardoned April 17, upon the recommendation of the district attorney, who believed that the ends of justice had already been served.

No. 36. ROBERT H. LONG. Convicted of assault with intent to kill, Superior Court, Suffolk county, Oct. 19, 1906.

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Sentenced to the state prison for from ten to fifteen years. Pardoned April 24, on the recommendation of the wife of the prisoner, who was the party assaulted, the judge who presided at the trial and the assistant district attorney, who believed that the ends of justice had been served and that he had already been sufficiently punished for the crime.

No. 37. PETER LEMBESIS. Convicted of breaking and entering and larceny, Superior Court, Suffolk county, Dec. 18, 1911. Sentenced to the Massachusetts reformatory on an indeterminate sentence. Transferred to the prison camp and hospital March 26, 1912. Pardoned May 1. The prison physician reported that he was suffering from a tubercular trouble of apex of right lung, and on account of active condition of disease his case was a doubtful one. He was removed to a private sanatorium in East Bridgewater.

No. 38. FRANK LLOYD. Convicted of larceny, Second District Court of Eastern Middlesex, Sept. 21, 1911. Sentenced to the Massachusetts reformatory on an indeterminate sentence. Pardoned May 1, upon the recommendation of the justice who imposed the sentence, the probation officer and the chief of police, all of Waltham, where the crime was committed. His wife and two children were entirely dependent on him or on charity for support. A responsible person for whom he once worked was ready to give him employment as soon as he was discharged.

No. 39. ANDREW JENSEN. Convicted of vagrancy, Central District Court of Worcester, Oct. 31, 1911. Sentenced to the Massachusetts reformatory on an indeterminate sentence. Pardoned May 8. This was his first offence. He ran away from his home in Maine with an older companion. No crime was committed. He was eighteen years old. It was believed that he had been sufficiently punished for his escapade.

No. 40. GEORGE YELLAND. Convicted of larceny, Superior Court, Essex county, September term, 1910. Sentenced to the house of correction for two and a half years. Pardoned May 15, upon the recommendation of the district attorney, who believed that the sentence was excessive. He had a

wife and three children who were supported by charity. The senator and all the representatives from Lawrence, where the crime was committed, urged the granting of a pardon. Pardons.

No. 41. MARY MORAN. Convicted of being a common drunkard, Municipal Court of Boston, Feb. 14, 1912. Sentenced to the reformatory for women on an indeterminate sentence. Pardoned May 15. She was very much needed at home to care for her five children. The justice who imposed the sentence and the prison commissioners recommended a pardon, believing that she had been sufficiently punished.

No. 42. JOHN J. O'CONNOR. Convicted of assault with a dangerous weapon, Superior Court, Suffolk county, November term, 1911. Sentenced to the house of correction for two years. Pardoned May 29, upon the recommendation of the district attorney, who stated that O'Connor's wife and family were in destitute condition. His previous reputation had been such as to justify the inference that the imprisonment he had already suffered had satisfied the ends of justice.

No. 43. CLARENCE S. SHOVE. Convicted of bigamy, Superior Court, Suffolk county, June 12, 1911. Sentenced to the house of correction for three years. Pardoned May 29. It was believed that he was thoroughly penitent. He had a good record during his confinement. He served in the navy during the Spanish war and had an honorable discharge therefrom. He removed to the far west, where permanent employment awaited him.

No. 44. WILLIAM E. CUNNINGHAM. Convicted of murder, second degree, Superior Court, Middlesex county, Oct. 22, 1892. Sentenced to the state prison for life. Pardoned May 29, on the ground that he had been sufficiently punished for the offence. He had become a competent machinist, and his splendid deportment as a prisoner during his nearly twenty years' imprisonment warranted the belief that hereafter he would be a law abiding citizen. If he had not pleaded guilty the district attorney believed that he might have received a lighter sentence, but the court had no discretion in imposing a sentence for life.

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No. 45. JOHN J. TOOMEY. Convicted of drunkenness, First District Court of Essex, March 11, 1912. Sentenced to the Massachusetts reformatory on an indeterminate sentence. Pardoned June 5, upon the recommendation of the justice who imposed the sentence, the probation officer, the city marshal of Lynn and the mayor and aldermen of Beverly, who believed that the ends of justice had been served.

No. 46. EUGENE V. MURPHY. Convicted of breaking and entering, Superior Court, Suffolk county, July 10, 1911. Sentenced to the Massachusetts reformatory on an indeterminate sentence. Pardoned June 12. It was believed from the knowledge of Murphy's conduct in the past that the punishment already inflicted had been a good lesson to him, and that a pardon granted by the authorities would place him under a strong obligation to the commonwealth and be an incentive to him in his future life. Immediate employment awaited him. He had but a month more to serve.

No. 47. WILLIAM R. PHILLIPS. Convicted of breaking and entering and larceny, Superior Court, Norfolk and Middlesex counties, April 17, 1905, and June 16, 1905, respectively. Sentenced to the house of correction for two years and one year, respectively. Pardoned June 19. He was sentenced to a year at hard labor at the Norfolk county jail in 1905, and escaped before he had been locked in his cell. The following October he was arrested in Connecticut and sentenced for burglary there to not less than two nor more than eight years. He would regularly have been entitled to parole in October, 1907, but under the laws of that state he could not be paroled because he was an escaped prisoner from another state. After he had escaped from Dedham he was indicted by the Norfolk county grand jury for escaping and by the Middlesex grand jury for breaking and entering in that county. When he was returned to Massachusetts, April 11, to begin his original sentence, he was given an additional year for his Middlesex offence. Former assistant district attorney Bancroft and former district attorney French expressed the opinion that the additional time served in Connecticut was sufficient punishment for the Massachusetts offences. Phillips was in his teens when he committed the offences and was then addicted to the use of drugs. The jail officials of Connecticut and Norfolk county

stated that the young man had recovered from the effects of the drugs, and recommended his pardon. Pardons.

No. 48. ARTIMUS COLLINS. Convicted of robbery, Superior Court, Suffolk county, Sept. 15, 1910. Sentenced to two and a half to four years in state prison. Pardoned June 19, upon the petition of his mother, who was dependent, in which she was joined by the victim of the robbery, Arthur I. Scrannage, and his wife. Scrannage feared that a great wrong might have been done young Collins, as while he was present with the two men who actually robbed him, yet he did not take an active part in the robbery.

No. 49. FREDERICK J. HERTHEL. Convicted of larceny, Superior Court, Suffolk county, Oct. 9, 1911. Sentenced to the house of correction for three years. Pardoned June 19. The money Herthel was charged with stealing was invested in mining ventures in California in which he lost all his own money. He was the friend and adviser of a Mrs. Vance. He went to California and lived there for six years, when he was extradited and brought back to Massachusetts last year. District attorney Pelletier was of the opinion that the time already spent in prison was sufficient to meet the ends of justice. His pardon was recommended by Bishop Lawrence, Rev. Samuel Snelling and ex-Governor Bates.

No. 50. FRED D. ELLSWORTH. Convicted of conspiracy, Superior Court, Suffolk county, March term, 1912. Sentenced to two years in the house of correction. Pardoned June 19. He was sentenced on a charge of conspiracy in connection with the sale of stock of a fictitious corporation known as the Peerless Chocolate Company. He had disposed of but little stock. His family was in a pitiable condition. He had never before violated the laws of this commonwealth. The stock was sold on credit and the amount of money collected on instalments was not large. The district attorney concurred in the recommendation for a pardon.

No. 51. ETHEL GUCCIARDI. Convicted of inducing females under the age of eighteen to have unlawful sexual intercourse, Superior Court, Suffolk county, Jan. 31, 1911. Sentenced to the house of correction for three years. Pardoned June 26, upon the recommendation of the district attorney, because of the severity of the punishment under

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the circumstances, and the existence of a doubt as to her actual guilt; and also because she had fully expiated her fault, if any, and the ends of justice had been subserved. He advised an immediate pardon.

No. 52. RUSSELL SHACKELFORD. Convicted of forgery, First District Court of Essex, March 18, 1911. Sentenced to the Massachusetts reformatory on an indeterminate sentence. Pardoned June 26, upon the recommendation of the justice who imposed the sentence and the probation officer, on the ground that he had a good home to go to and an offer of employment, and had interested friends to look after him. His conduct record was perfect.

No. 53. S. GRAHAM BENSON. Convicted of forgery, Superior Court, Suffolk county, June 13, 1911. Sentenced to the Massachusetts reformatory on an indeterminate sentence. Pardoned June 26, upon the recommendation of the chief of police of Abington and deputy sheriff Spring of Hingham, who believed that the ends of justice had been met. His mother was an invalid and needed his support. He had a perfect conduct record.

No. 54. THOMAS J. DEMPSEY. Convicted of murder, second degree, Superior Court, Essex county, March 22, 1890. Sentenced to the state prison for life. Pardoned July 2, as an act of executive clemency. He had served more than twenty-two years. He had never been punished or even reprimanded during his long imprisonment. It was believed that the ends of justice had been satisfied, and that he would hereafter lead a life of credit to himself and to the community. At the time of the murder he was living at the house of his brother-in-law, Clarence J. Willey, and there shot and killed him. There were no witnesses to the shooting, and Mrs. Willey says that her husband was ugly, and thinks that acts of cruelty toward her on his part may have caused the quarrel that led up to the tragedy. Dempsey's sister, the wife of the murdered man, strongly urged the pardon. Dempsey had never been arrested prior to this offence.

No. 55. HARRY BAILEY. Convicted of larceny, and larceny in a building, two indictments, Superior Court, Middlesex county, March 17, 1910. Sentenced to the state prison for seven and a half to ten years. Pardoned July 2, upon

the recommendation of the district attorney and the chief inspector of police of Cambridge, and also the selectmen and town clerk of Dover and two clergymen of that town, who believed that he had been sufficiently punished and would hereafter lead an orderly life. Friends stood ready to give him immediate employment. Pardons.

No. 56. KATHERINE R. SULLIVAN. Convicted of drunkenness, District Court of Southern Norfolk, May 7, 1912. Sentenced to the reformatory for women on an indeterminate sentence. Pardoned July 3. She was the mother of three children who needed her care and watching. The petitioners believed that punishment was needed in her case, and that she had been sufficiently punished for being a victim of liquor and would hereafter abstain from the use of intoxicating drinks.

No. 57. JESSIE GIBBONS. Convicted of fornication, Superior Court, Suffolk county, Jan. 4, 1912. Sentenced to the reformatory for women on an indeterminate sentence. Pardoned July 17, on the ground that she was innocent of the crime for which she was convicted. She did not have counsel at her trial and consequently the circumstances connected with the case were not presented to the court.

No. 58. WARD LAPOINT. Convicted of breaking and entering, Superior Court, Hampden county, May 8, 1911. Sentenced to the house of correction for two and a half years. Pardoned July 17, upon the recommendation of the district attorney and the prison physician. He was seriously ill with pulmonary tuberculosis, with little prospect of recovering.

No. 59. CATHERINE E. MCKINNON. Convicted of drunkenness, Municipal Court of Brookline, March 15, 1912. Sentenced to the reformatory for women on an indeterminate sentence. Pardoned July 30, upon the recommendation of justice Perkins, who imposed the sentence, subject to the supervision of the probation officer. She had six children who needed a mother's care.

No. 60. ALBERT S. HOOGS. Convicted of larceny, Superior Court, Essex county, Feb. 25, 1910. Sentenced to the

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state prison for from three and a half to six years. Pardoned July 31, upon the recommendation of some of the best citizens of Beverly, on the ground that he had been sufficiently punished and would henceforth lead a good life and be a useful citizen. The district attorney concurred in the recommendation. An unusually fine business position awaited him.

No. 61. AUGUST LANGNER. Convicted of murder, second degree, Superior Court, Norfolk county, Dec. 8, 1893. Sentenced to the state prison for life. Pardoned August 7. Langner had served nineteen years of his prison sentence, besides one year in the Dedham jail. At that time he spoke little, if any, English, and possessed extremely little education. In the trial the commonwealth depended largely upon the testimony of two young informers who acted in the expectation of obtaining the reward which had been offered for the apprehension of the criminal and for evidence leading to his conviction. Hon. Robert O. Harris, who was then the district attorney, tried the case. Hon. Albert E. Pillsbury, the attorney-general, prepared it, but was prevented by sickness from trying it. Grave doubts have been expressed as to Langner's guilt and the validity of the evidence on which he was convicted. But, irrespective of the question of his guilt, Langner had been a model prisoner, had acquired a fair education and was in the prime of life. It would seem as if twenty years in prison formed a sufficient punishment to meet the ends of justice in this case. All opposition of record to his pardon had been withdrawn, certain attorneys who formerly opposed his release having since signed a memorial withdrawing their objections on the condition that Langner leave the country, never to return. It was on this condition that the council acted. The prisoner had made many friends among responsible and respected German-American citizens, and with their help will undoubtedly be able to take care of himself.

No. 62. JULIUS STERNBERGER. Convicted of forgery, Superior Court, Suffolk county, Feb. 26, 1912. Sentenced to the house of correction for eighteen months. Pardoned July 31, upon the recommendation of the district attorney, who believed that he had been sufficiently punished. He had a wife and child in destitute circumstances in New York, where employment awaited him.

No. 63. JEROME KING. Convicted of breaking and entering and larceny, Superior Court, Essex county, Feb. 15, 1910. Sentenced to the state prison for from twenty to twenty-five years. Transferred to the state farm. Pardoned August 14, upon the recommendation of the district attorney, who stated that he always looked upon the sentence as being too severe and that it was practically a life sentence, taking into consideration his age, fifty-four years. He said: "If he had received a sentence of about ten years I felt, and now think, it would have been nearer right." He was pardoned upon condition that he leave the United States, never to return. Pardons.

No. 64. FRANK J. LINEHAN. Convicted of larceny, Superior Court, Suffolk county, February term, 1912. Sentenced to the house of correction for two years. Pardoned August 14. The considerations actuating the council in this case were: the condition of his family, consisting of a wife and six children in destitute circumstances; the certainty that if released in the summer he could at once secure employment, whereas if release should be delayed till fall or winter — the dull time in his occupation — he could not then get work; the usefulness of his services to the county of Suffolk since his confinement, he probably having saved the county $8,000 or $9,000.

No. 65. JOSEPH STEARNS. Convicted of robbery, Superior Court, Suffolk county, Jan. 14, 1910. Sentenced to the state prison for from five to seven years. Pardoned August 14. The prisoner had a wife and three children. The wife was ill with tuberculosis, and if her husband was pardoned she could be sent to a sanatorium. He had employment awaiting him so that he could support the children during their mother's absence.

No. 66. EDWARD J. BASSETT. Convicted of larceny, Central District Court of Worcester, Nov. 7, 1911. Sentenced to the Massachusetts reformatory on an indeterminate sentence. Pardoned August 14, upon the recommendation of the justice who imposed the sentence, the probation officer and the chief of police of Worcester. He stole a small amount of money from his mother, who also urged a pardon. She had secured immediate employment for him.

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No. 67. ROBERT H. CREIGHTON. Convicted of robbery and assault, Superior Court, Essex county, Feb. 3, 1909. Sentenced to the state prison for from six to eight years. Pardoned August 14, on the ground that he had been sufficiently punished, and that continued imprisonment would seriously impair his health. The complainant and the district attorney had no objection to the granting of the pardon.

No. 68. EDWARD F. LINEHAN. Convicted of rape, Superior Court, Suffolk county, February term, 1907. Sentenced to the state prison for from fifteen to eighteen years. Pardoned August 14, upon the recommendation of the assistant district attorney, who prosecuted the case, and who believed that the sentence was excessive, as he had become satisfied that the crime committed was at most adultery, and for such he had paid the full penalty.

No. 69. BENJAMIN F. TAYLOR. Convicted of murder, second degree, Supreme Judicial Court, Suffolk county, May 14, 1891. Sentenced to the state prison for life. Pardoned August 28. Taylor had served twenty-two years of a life sentence for shooting Wilder Hutchins, a North End stable keeper. His story of the incidents leading up to the shooting convinced the members of the council that the deed was done in self defence. Taylor explained, in a letter to the council, that Hutchins had hounded him for some time, endeavoring to extort money, and when Taylor attempted to collect a loan which he had made to Hutchins, the latter assaulted him, and Taylor shot to protect himself. The assistant district attorney, who prosecuted the case, stated: "Taylor impressed me as a strong man who had served his sentence with manliness and courage and with no small improvement to himself in many ways. I believe he will henceforth be a good citizen. On these grounds I am pleased to say that I should be glad to see him pardoned." His conduct record was perfect. He had been a very hard working and industrious man during his entire term, and had become one of the best harness makers that they ever had in the prison. It was believed that if given an opportunity he would become a good, useful and law abiding citizen.

No. 70. CLIFTON C. CORLISS. Convicted of larceny, Police Court of Somerville, Jan. 27, 1912. Sentenced to the Massachusetts reformatory on an indeterminate sentence.

Pardoned August 28, upon the recommendation of the justice who imposed the sentence, the probation officer of the police court of Somerville and the complainant, who believed that the demands of justice had been satisfied. Pardons.

No. 71. HERBERT S. DUDLEY. Convicted of breaking and entering, Superior Court, Middlesex county, June 23, 1911. Sentenced to the state prison for from four to six years. Pardoned September 11, upon the recommendation of the district attorney, on the ground that one Timothy Meas had confessed to committing the crime for which Dudley was sentenced. Meas made confession to the prison chaplain shortly before his death. Dudley had a previous prison record. He was not a drinking man nor addicted to the use of drugs, but attributed his career to lack of employment and bad associates. Friends were ready to give him immediate employment upon his release.

No. 72. FLORIAN J. HITCHCOCK. Convicted of escape from jail, Superior Court, Franklin county, Dec. 20, 1910. Sentenced to four and a half to five years in state prison. Pardoned September 25, upon the recommendation of the district attorney, who prosecuted the case, the present district attorney of Franklin county, the master of the house of correction, and the district police officer who made the arrest, on the ground that the sentence was excessive. The escape was without assault. The usual sentence for escape is from six months to one and a half years. He had served nearly two years of his sentence. Immediate employment awaited him in another state.

No. 73. FREDERICK W. BALL. Convicted of larceny, Superior Court, Suffolk county, Feb. 11, 1911. Sentenced to the house of correction for two and a half years. Pardoned October 2, upon the recommendation of the district attorney, the present mayor and two ex-mayors of Medford, where the prisoner resided; also his employers from whom the money was stolen. The district attorney believed that the sentence he had already served would be as effectual as a much longer term.

No. 74. CELESTINO ARDOLINO. Convicted of assault, Superior Court, Suffolk county, Sept. 16, 1910. Sentenced

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to the state prison for from eight to twelve years. Pardoned October 2. Up to the time of his arrest and conviction he had borne an excellent reputation in every respect. Since his trial new and material evidence had been discovered which if presented or available at the time of the trial it was believed would have resulted in a different verdict. The party assaulted voluntarily signed the petition for his pardon. He had a wife and child and had no previous criminal record.

No. 75. PATRICK J. CAHILL. Convicted of polygamy, Superior Court, Essex county, Sept. 20, 1911. Sentenced to the house of correction for two and a half years. Pardoned October 7, upon the recommendation of his wife, who believed that he had been sufficiently punished for the crime which he committed under somewhat extenuating circumstances. He had two children who needed a father's support. It was believed by the pardon committee that he had received sufficient punishment.

No. 76. ELLEN FURLONG. Convicted of drunkenness, District Court of Northern Berkshire, May 27, 1912. Sentenced to the reformatory for women on an indeterminate sentence. Pardoned October 9, upon the recommendation of the justice who imposed the sentence, the probation officer and the chief of police of North Adams, on the ground that she had been sufficiently punished.

No. 77. JOSEPH FASTA. Convicted of assault, Superior Court, Suffolk county, Sept. 26, 1910. Sentenced to the house of correction for three years. Pardoned October 16, upon the recommendation of the assistant penal institutions commissioner of Boston. He had but three months more to serve and steady employment awaited him, provided he could secure the position at once. He had done a great deal of valuable work in the cement and bricklaying line at the house of correction. It was believed that he would hereafter lead an upright and honorable life and was deserving of release at that time.

No. 78. JOSEPH S. CHABOT. Convicted of breaking and entering and larceny, Superior Court, Worcester county, Jan. 18, 1912. Sentenced to the Massachusetts reformatory on an indeterminate sentence. Pardoned October 30, upon

the recommendation of the complainant, from whom the property was stolen, who believed that he had reformed and would become a law-abiding citizen. Pardons.

No. 79. WALTER DOYLE. Convicted of robbery, Superior Court, Suffolk county, Nov. 21, 1910. Sentenced to the state prison for from seven to nine years. Pardoned November 6, upon the recommendation of the district attorney, who certified that, "Since he has been committed to prison I have talked with him on several occasions, and he has aided the police since then in the further prosecution of two criminals. From all that I know about the petitioner, his assistance to the government and the likelihood of his complete reform, I am of the opinion that it is a case where clemency might well be exercised."

No. 80. HATTIE B. PATNAUDE. Convicted of drunkenness, Central District Court, of Northern Essex, June 8, 1912. Sentenced to the reformatory for women on an indeterminate sentence. Pardoned November 13, upon the recommendation of the justice who imposed the sentence, who believed that the purposes of the commitment had been fully satisfied.

No. 81. GEORGE E. COLE. Convicted of larceny, Superior Court, Norfolk county, Dec. 14, 1910. Sentenced to the state prison for from two and a half to four years. Pardoned November 13, upon the recommendation of the district attorney, who believed that he had been sufficiently punished in view of the nature of his offence. He was a man sixty years of age. His home was in Ohio, where his mother, who was about eighty-two years old, resided. Her health was not good, and on account of her age and infirmities it was improbable that she would live until the prisoner's minimum sentence expired. She wished to see him before her death, and joined in the petition. Immediate employment awaited him there.

No. 82. GERTRUDE ABBOTT. Convicted of assault, First District Court of Essex, July 6, 1912. Sentenced to the reformatory for women on an indeterminate sentence. Pardoned November 13, upon the recommendation of the justice who imposed the sentence, the probation officer and the city marshal of Salem, who believed that she should be al-

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lowed to go to her mother in Maine. She had two young children who needed a mother's care. Her husband was a hard working man and was amply able to care for her.

No. 83. LUKE F. MCDONALD. Convicted of arson, Superior Court, Suffolk county, May 16, 1912. Sentenced to the Massachusetts reformatory on an indeterminate sentence. Pardoned November 20. There were grave doubts regarding his guilt. He was intoxicated when arrested. He had no previous record. Employment awaited him.

No. 84. LEWIS F. GATES. Convicted of larceny, Superior Court, Suffolk county, July 11, 1911. Sentenced to three years in the house of correction. Transferred to the prison camp and hospital. Pardoned November 20, upon the recommendation of many prominent citizens, who believed that he had been sufficiently punished and who had provided immediate employment for him in the Dominion of Canada.

No. 85. GEORGE B. HALL. Convicted of robbery, Superior Court, Suffolk county, May 15, 1912. Sentenced to the Massachusetts reformatory on an indeterminate sentence. Pardoned November 27, upon the recommendation of Father Gasson of Boston College and the chaplain of the jail, on the ground that he had been sufficiently punished.

No. 86. WONG CHUNG. Convicted of murder, second degree, Superior Court, Suffolk county, February term, 1904. Sentenced to the state prison for life. Pardoned November 27. Four of the five principal witnesses against him have since been convicted of murder in the first degree, and the fifth has been convicted of assault with attempt to murder. During the course of the fusillade of shots Wong Chung fired to defend himself, but always maintained that he and his cousin, who was killed, were on the same side. He was pardoned upon condition that he go to China, never to return.

No. 87. EDWIN H. HANCOCK. Convicted of manslaughter, November term, 1911, Superior Court, Bristol county. Sentenced to the Bristol county jail for three years. Pardoned November 27. Hancock, on April 19, 1911, was running an automobile from Pawtucket, R. I., to Attleborough,

Mass. While proceeding in a northerly direction on Washington street, Attleborough, the automobile which he was driving struck two young people who were about to be married and who were walking in a northerly direction on the east side of said street. The young man was instantly killed and the young woman died of her wounds in a hospital at Pawtucket on the following day. Hancock was a business man of good standing in North Attleborough, with no previous criminal record. He had been a good prisoner, was deeply repentant, and it was believed would never put himself in a position to violate the laws of the commonwealth again. The pardon was recommended by the parents of the young people who were killed, the county commissioners of Bristol county, the keeper of the county jail and several hundred of the leading citizens of Attleborough and North Attleborough. Pardons.

No. 88. JOHN R. DAVIS. Convicted of assault, Superior Court, Suffolk county, Feb. 27, 1911. Sentenced to the house of correction for three years. Pardoned November 27, on the recommendation of the district attorney. Davis was an old man, seventy years of age. His age, physical condition and previous good character, with the kind offer of his sister to care for him, seemed to justify the exercise of the pardoning power.

No. 89. ANNE GREALISH. Convicted of being idle and disorderly, Police Court of Lawrence, July 26, 1912. Sentenced to the reformatory for women on an indeterminate sentence. Pardoned November 27, upon the recommendation of the selectmen of Andover and the probation officer of the police court of Lawrence. She belonged to an old and respectable family, and this was her first offence and the only dark spot on her record. She had three children who needed a mother's care.

No. 90. HARRY W. RAYNARD. Convicted of larceny, Municipal Court of Boston, March term, 1911. Sentenced to three years in the house of correction. Transferred to the Lowell jail. Pardoned December 4, upon the recommendation of the keeper of the jail, who believed that his future conduct in life would be such as to prove the wisdom of extending mercy in his case. The recommendation

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was made without solicitation on the part of the prisoner and without his knowledge.

No. 91. JOSEPH MCLAUGHLIN. Convicted of robbery, Superior Court, Suffolk county, Dec. 12, 1910. Sentenced to the state prison for from five to seven years. Pardoned December 4. McLaughlin, at the risk of his life, saved the life of Martin Leftovitch, an instructor in the tailoring department at the state prison, when the latter was being murderously assaulted by a prisoner. Leftovitch was rendered unconscious and McLaughlin leaped from the ranks of sixty prisoners present and snatched the ironing board from the hands of the assailant while he was in the act of beating Leftovitch, who was lying prostrate on the floor. The warden of the prison said: "I feel it to be my duty to call the attention of the governor and council to the fact that before the officer could arrive upon the scene, McLaughlin, although a small man compared with the assailant, immediately took action, and the officer feels that his action was the only thing that saved his life."

No. 92. SAMUEL MITCHELL. Convicted of murder, second degree, Superior Court, Essex county, June 17, 1887. Sentenced to the state prison for life. Pardoned December 11. The crime was committed while he was intoxicated and there were other circumstances which mitigated the offence. His pardon was recommended as an act of executive clemency by the warden of the state prison, the mayor and a number of the leading lawyers and business men of Lynn, where the crime was committed. He had an absolutely perfect record in the prison and had never even been reprimanded during his term of imprisonment. By advice of counsel he pleaded guilty to murder in the second degree. This advice was not unanimous, a majority of said counsel being of the opinion that Mitchell was guilty of manslaughter only. A responsible person promised to give him immediate employment.

No. 93. HARRY SMITH. Convicted of attempt to commit larceny, Superior Court, Suffolk county, Aug. 17, 1911. Sentenced to the house of correction for two years. Pardoned December 11. This prisoner pleaded guilty to the indictment by advice of his counsel, who believed that he could not receive a sentence in excess of three months in the

house of correction, the usual sentence being from three to six months. His home was in another state, where friends stood ready to give him employment. Pardons.

No. 94. ALFRED D. SHEA. Convicted of abortion, Superior Court, Suffolk county, May 13, 1912. Sentenced to the state prison for from seven to twelve years. Pardoned December 11, upon the recommendation of the mayor and a large number of the prominent physicians and citizens of Cambridge, who believed that Dr. Shea was absolutely innocent of the crime for which he was convicted. The evidence in the case was entirely circumstantial. Dr. Shea was called to attend the patient, and found her temperature was not high nor her pulse very rapid. He assumed that miscarriage had already occurred and, after leaving a few tablets to relieve her pain, he departed, returning the next morning. He made several visits and recommended to the family that she be removed to the Massachusetts General Hospital, which they refused to have done. It was believed by reputable physicians in Cambridge that another doctor was responsible for the abortion, which had occurred before Dr. Shea was called in. This report was also current in the neighborhood where the patient lived. Dr. Shea's broad sympathy, his unfailing generosity and unselfishness, his skill and his constant devotion to the best principles of his profession, had endeared him to many friends in Cambridge and vicinity. When working among the poorer class he never allowed the failure of compensation to deter him from giving his best thought and skill. Not infrequently he supplied from his own resources food and fuel to those in need. It was this eagerness to help those in distress which made him attempt to save the life of the poor Polish girl without giving a thought to himself or his own protection. He did not stop to reflect that he was working among foreigners who could not understand what he said and who, through ignorance, could not understand what he did. He did not consider the difficulty or importance of subsequently procuring evidence of his own innocence to defeat an allegation of crime based wholly on circumstantial evidence.

No. 95. THOMAS M. BURNS. Convicted of breaking and entering, Superior Court, Suffolk county, Jan. 8, 1912. Sentenced to the Massachusetts reformatory on an indeterminate sentence. Pardoned December 18. It was believed

Pardons.

that he had been sufficiently punished for the crime committed. His assistance was needed at home. His term was to expire in about a month. It was thought that a pardon at that time would encourage him to lead a correct life in the future.

No. 96. JOSEPH P. MCDONALD. Convicted of breaking and entering, Superior Court, Plymouth county, June 18, 1912. Sentenced to the Massachusetts reformatory on an indeterminate sentence. Pardoned December 18, upon the recommendation of the district attorney, who certified that McDonald had taken his sentence very seriously, had conducted himself in a very exemplary manner, and made a perfect conduct record in the institution. He believed that the young man had fully realized the error of his ways and was penitent; and in the belief that he had fully reformed, he recommended the granting of a pardon.

Nos. 97 and 98. WILLIAM J. and JOSEPH P. O'CONNOR. Convicted of drunkenness, Municipal Court of Brookline, May 6, 1912, and June 3, 1912, respectively. Sentenced to the Massachusetts reformatory on an indeterminate sentence. Pardoned December 24, on the recommendation of the justice of the Brookline court who imposed the sentence, and who said: "These prisoners were brothers, and at the time of their commitment the home conditions of the family to which they belonged were very undesirable and the influences surrounding the young men were very bad. I am informed on good authority that employment is now awaiting both of them, and that their home conditions have been greatly improved. In view of the fact that their terms of imprisonment would terminate soon, I think it would be advisable to encourage them by releasing them at the present time, and I therefore recommend it." The probation officer heartily endorsed the recommendation of the justice.

[To the honorable senate and house of representatives, January 7, 1913.]

FEDERAL INCOME TAX.

Action upon the proposed amendment to the federal constitution, granting to the congress of the United States power to levy without apportionment a direct tax upon income, should be had by this legislature at the earliest possible moment. Thirty-four out of the forty-eight states have already

ratified this amendment, and it is now evident that ratification by at least two more states will be had during the present winter. It is unfortunate for Massachusetts that her name is not already on the list of assenting states, and I recommend favorable action upon this amendment in order that our state may not be placed in the position of dissenting to an amendment conferring upon the nation a power vital to its welfare and even its safety.

TAXATION OF WILD AND FOREST LANDS.

At the last election the people of the commonwealth approved, by an overwhelming vote, the constitutional amendment approved by the two preceding legislatures, conferring upon the general court power to adopt such methods of taxing wild and forest lands as may conduce to the conservation and development of the forest resources of the commonwealth. The legislature is now in a position to carry out the expressed will of the commonwealth and I urge you to give this subject careful consideration.

Massachusetts has a large amount of land, probably not less than three fifths of its total area, which is unsuited for agriculture and can be best utilized for forest purposes. The large demand of our dense population and numerous industries for forest products makes timber a valuable crop which can be grown to better advantage in this state than in almost any other place in the country. Up to the present our unwise and impracticable method of imposing a heavy annual tax upon a growing crop of timber, has made the adoption of proper forestry methods a practical impossibility, and it is fortunate that the legislature now has the power to remedy this situation.

The framing of a proper law is a work that will demand careful study and consideration. We should proceed at once with an investigation of the problem in all its practical details, and, in order to avoid mistakes, should study carefully the experience of other states and countries in the taxation of forest lands. I therefore recommend that the legislature authorize the appointment of a commission which shall investigate the entire subject as soon as practicable. It may be possible for a commission giving its whole time to the work to report definite recommendations before the end of the present session. If so, the present general court will be able to enact the necessary legislation. But the commis-

sion should be authorized, in case of need, to devote a longer time to its investigation. This is a matter in which we should act without unnecessary delay, but with due care and only after full consideration.

THE TAXATION OF PERSONAL PROPERTY.

Our laws relating to the taxation of personal property remain in the unsatisfactory condition to which I have called the attention of previous legislatures.

A comparison of the property returned for local taxation with the valuation of estates passing through the probate courts shows that whereas in the commonwealth at large the amount of personal property is at least three times the amount of real property, we succeed in placing upon the local assessment list only one third as much personalty as realty. After making due allowance for the considerable amount of personal property which is exempt from taxation under our laws, it appears certain that we do not reach more than one fifth, and probable that we reach even less than one fifth, of the personalty legally subject to taxation. These conditions are a reproach to the state and productive of gravest inequality in the distribution of taxation. The subject should receive your serious attention and some remedy should be devised.

I again urge upon the attention of the legislature the desirability of introducing, in place of our present tax upon income yielding personal property, a tax upon the income derived therefrom. The details of such a plan and the considerations which seem to make it more desirable and practicable than any other were fully presented in special messages to the legislatures of 1911 and 1912, which outlined a plan that received the approval of the tax commissioner and a large measure of popular support.

During the past year the state of Wisconsin has put into successful administration an income tax which has proved a remedy for the evils formerly connected with the taxation of personal property in that state, and her example is likely to be followed by other commonwealths. I strongly urge upon this legislature the enactment of a constitutional amendment which will make it possible for Massachusetts, at any time the general court shall deem it desirable, to impose a tax upon the income derived from any class or classes of property which it has proved impracticable to reach by our present methods of taxation.

The ratification of the federal income tax amendment will probably be followed by the establishment of a federal tax on incomes, as part of a comprehensive plan for securing a more just distribution of the burden of national taxation. When this is done, the defects of our present methods of state and local taxation will be greatly intensified and our people will demand a reform. Since a federal tax on incomes is certain, it is obvious that the natural and most desirable course is to remodel state and local taxation upon similar lines. If we are to have two direct taxes, one state and the other federal, it is obvious that it will be more convenient for the taxpayer as well as the tax administrator, to have the two taxes as nearly alike as possible. No double taxation would arise, because the two taxes would be for the support of different governments, each of which is entitled to levy direct taxes for its use.

The time for timid conservatism in this matter has passed. The methods of taxing personal property in Massachusetts have become intolerable and reform is absolutely necessary. I trust that this legislature will deal boldly and intelligently with the conditions that confront us, and provide the commonwealth with a just and strictly enforcible system of taxation.

[To the honorable senate and house of representatives, February 6, 1913.]

I return herewith without my approval An Act relative to the licensing board of Boston, and providing for a substantial increase of salaries.

All proposed increases of salary should be considered with the utmost caution. A comparison of the salaries now paid the public servants in this state with corresponding salaries in other states, indicates that Massachusetts is paying, on the whole, a very liberal average salary.

Public office in Massachusetts is, and always has been, regarded as an honor. Public positions in this commonwealth are sought by men and women of the highest standing, as a means of giving their services to the State. This principle has been so widely extended that we now have a large number of unpaid boards and commissions supervising many branches of the public business.

Office holders in other branches which call for special qualifications or for a larger degree of personal attention, are paid salaries which have been fixed mainly by the legis-

lature in full recognition of the rights of the taxpayer on the one hand, and of the office holder on the other.

Moreover, chapter 719, of the acts of 1912, creating a commission on economy and efficiency, places upon that commission the duty of examining the estimates of expenditures, including those for salaries, which are submitted annually to the auditor by the various boards and commissions of the state.

One of the principal purposes for which this commission was created would be defeated if the legislature were to increase the salaries of our public servants without the recommendations of that commission.

It has been my experience throughout two administrations, and thus far during a third administration, that the commonwealth has, in general, no difficulty in obtaining the services of highly qualified men and women to fill vacancies in the public service at the existing rates of compensation.

Moreover, many serious objections may be raised against the general policy of greatly increasing the salaries of our public servants. Public office in Massachusetts must never be sought for personal profit.

In specific cases where the need of larger compensation has been demonstrated and the service of the public is suffering for want of adequate appropriations for salaries, I shall concur with you heartily in meeting these contingencies as they arise, or even in urging them upon your attention if the occasion appears to warrant such action.

I object also to this bill because the members of the licensing board are not required to give their entire time and attention to the duties of their office, while this bill, if approved, would grant them salaries considerably in excess of the sums paid for equally important services in other departments requiring the entire time and attention of the office holder.

[To the honorable senate and house of representatives, February 14, 1913.]

Herewith I return without my approval An Act to provide for the election of a board of license commissioners by the town of Clinton.

If this bill were signed, and ratified by the town of Clinton, the local administration of the liquor laws would be given to a board of three men elected solely for this purpose. At present such laws are administered by the selectmen, a board similarly elected by the people.

This act therefore implies no apparent change in respect to local self-government; but in a self-governed town such as Clinton, liquor licenses should be considered not apart from, but in connection with, other questions of the public welfare; for the administration of the liquor laws plays an extremely important part in the social life of a small community.

Moreover, there is no doubt that, in the election of a licensing board, those persons who benefit financially by a lenient administration of the liquor laws would exercise an undue weight in the selection of candidates favorable to them, and in securing their election.

Legislation of this character, therefore, tends to defeat the very principle of local self-government, and offers to selfish and special interests the opportunity to accomplish results favorable to themselves.

I am aware that previous legislatures have in at least two instances passed statutes of this general character, thus establishing a precedent for the present bill; but I have made careful inquiries of judicial officers, well informed as to the practical workings of liquor legislation in such cases, and the consensus of their opinions is unquestionably against legislation of this sort.

I believe that the selectmen, chosen to represent in the broadest sense the life of the community, should be held, as at present, rigidly to account for a proper administration of the liquor laws, and that the public good can be conserved best by denying to any special faction or interest the advantages which this bill would open to it.

[To the honorable senate and house of representatives, February 21, 1913.]

The industrial accident board, created under chapter 751 of the acts of 1911, has acted upon 51,020 accident cases reported to it in accordance with the provisions of that chapter, between the dates of July 1, 1912 and February 1, 1913. In the course of this work the board has abundantly justified the action of the legislature in creating it, and the statute has unquestionably placed Massachusetts in the lead along this line of modern industrial progress.

Under this act the working people of Massachusetts now have a more definite assurance that, in the event of an industrial accident, the injured ones will receive full and immediate compensation without the necessity of a lawsuit, and without any delay or uncertainty.

As originally planned, the board was also to investigate and enforce measures for the prevention of industrial accidents.

It is obvious that no amount of compensation for injuries received can offset the economic loss to a community represented by the accidents themselves. Hence the prevention of accident is, on an economic as well as a humanitarian basis, even more important than the compensation for injuries received.

However, no legislation was provided whereby the industrial accident board could regulate and enforce the use of safety devices.

To meet the failure of previous legislation properly to ensure the enforcement of the labor laws and the factory inspection laws, the board of labor and industries has now been created under chapter 726 of the acts of 1912; its duties to begin on June 1, 1913.

With these two boards in operation, the authority of the state over the subject of industrial accidents and their prevention will be divided.

Our experience with the division of state authority in other fields should prove to the legislature that in general such divided authority fails of its function.

There is serious danger that the division of authority in the present instance may destroy in part the effectiveness of the statutes involved.

The new board of labor and industries will not only have supervision over the means for preventing industrial accidents, but will administer the law in respect to hygienic and sanitary conditions of labor, the hours of labor and the inspection of industrial establishments in relation to the welfare of the employees therein.

It is also obvious that it was the intention of the legislature, in establishing the workmen's compensation act and creating the industrial accident board, to pave the way toward the control and prevention of occupational diseases, and to improve the sanitary and hygienic conditions of industrial establishments in Massachusetts.

All these subjects are closely related to the duties of the industrial accident board; and there appears to be no sufficient justification for placing them under different administrative heads.

For the protection of Massachusetts workmen, I believe that there should be one strong, centralized authority in the

field, having jurisdiction over the subject of industrial accidents, the compensation for injuries received, the enforcement of labor and factory inspection laws, and the installation of apparatus in shops and factories for the prevention of accidents.

Thus far I have spoken mainly of the humanitarian considerations involved in this subject. But on both humanitarian and economic grounds, it appears that the original intention of the legislature can now be carried out more effectively and the industrial interests of the commonwealth better safeguarded by combining these two boards.

I therefore recommend to the legislature that a careful study of the problems thus outlined be instituted immediately, in the expectation that new legislation may be speedily enacted for uniting the functions of these two boards.

[To the honorable senate and house of representatives, February 24, 1913.]

I transmit herewith a letter, dated February 21st, from the attorney general, asking for an additional appropriation of $15,000 to carry on certain litigation now pending between the public authorities of the commonwealth and the Haverhill Gas Light Company, and affecting the rates for the sale of gas.

The case involves the principle of public regulation of our public service or so-called quasi public corporations; and at this juncture it is highly desirable that the commonwealth should take all necessary measures to safeguard this principle. I therefore ask that your earnest consideration be given to the attorney-general's request.

DEPARTMENT OF THE ATTORNEY-GENERAL,
BOSTON, February 21, 1913.

His Excellency EUGENE N. FOSS, *Governor of the Commonwealth.*

SIR: — As a matter of grave public concern, I desire to call to the attention of your excellency the existing situation with respect to certain litigation affecting rates for the sale of gas now pending between the public authorities of the commonwealth and the Haverhill Gas Light Company, a corporation engaged in manufacturing, distributing and selling gas in the city of Haverhill.

This company was incorporated by chapter 8 of the acts of 1853, for the purpose of manufacturing and selling gas in the city of Haverhill, and by chapter 163 of the acts of the same year it was authorized to extend its pipes into the town of Bradford, now a part of the city of Haverhill. It had originally a capital stock of

$50,000, which, in 1872, was increased to $75,000, the shares having a par value of $50. In 1899 the whole of this capital stock was acquired by the Haverhill Gas Securities Company, a corporation organized under the general laws of this commonwealth, which thereupon issued capital stock of the par value of $500,000 and issued and sold bonds to the amount of $500,000, secured by a deposit with a trustee of the entire capital stock of the Haverhill Gas Light Company and by a mortgage of the plant and property of the latter company, the Securities Company having no other property or assets than an equity in the capital stock of the Haverhill Gas Light Company.

On February 1, 1900, the board of gas and electric light commissioners, upon petition of the mayor of the city of Haverhill, and under authority of what is now Revised Laws, chapter 121, section 34, after due notice and hearing ordered a reduction in the price of gas sold by the Haverhill Gas Light Company from $1.00 net to 80 cents net per thousand cubic feet. The company, however, instead of complying with such order, brought a suit in equity in the circuit court of the United States for the first circuit against the members of the board of gas and electric light commissioners and the attorney-general to enjoin its enforcement. The defendants filed a demurrer, which was overruled on June 16, 1901, but, although the company continued to maintain the price of the gas manufactured and sold by it at $1.00 per thousand cubic feet, no further action was taken until 1907, when the attorney-general began a suit in the supreme judicial court of the commonwealth to enforce such order, whereupon the circuit court granted a preliminary injunction restraining the members of the board of gas and electric light commissioners and the attorney-general from any further action to enforce such order pending a final disposition of the case in that court. This was followed by a reference to a master on March 18, 1908, and hearings were held from time to time during that and the following year until its final disposition. During the latter year and while the case was pending before the master, the firm of Stone & Webster acquired all of the stock and bonds of the Haverhill Gas Securities Company.

On December 23, 1909, the municipal council of the city of Haverhill, being duly authorized thereto in the premises, under Revised Laws, chapter 34, section 2, passed the first of the two votes necessary to authorize a city or town to acquire a municipal gas plant. Thereupon the Haverhill Gas Light Company, through its officers, and the Haverhill Gas Company, organized and controlled by the same interests which controlled the Haverhill Gas Light Company, opened negotiations with the municipal council of the city of Haverhill by submitting thereto, certain proposals, which were substantially that the city of Haverhill should grant to the Haverhill Gas Company the necessary franchise to lay and maintain pipes in the streets of the city and that the company, upon legally acquiring the property of the Haverhill Gas Light Company, should make certain reductions in the price of gas to the city of Haverhill and to consumers generally, should make certain annual payments to the city in addition to the taxes assessed against the company, and should place in the hands of a trustee, to be distributed to con-

sumers, the sum of $21,000 as a rebate upon the sums paid for gas between July 1, 1909, and June 30, 1910. While these proposals were pending before the municipal council a second vote to acquire a municipal gas plant was presented to the council, and was laid upon the table. The Haverhill Gas Company was organized as hereinbefore stated and made formal application to the municipal council for authority to lay its pipes in the streets, lanes and highways of the city, and, on June 30, 1910, the proposals were accepted and an instrument, entitled "Franchise and Consent of City of Haverhill to Haverhill Gas Company," was executed by the city of Haverhill, the Haverhill Gas Company and the Haverhill Gas Light Company. The execution of this instrument was brought to the attention of the board of gas and electric light commissioners, and, in consequence thereof, they and the then attorney-general assented to the entry of a final decree enjoining them as defendants from enforcing the order made in 1900 and to a final decree dismissing the proceeding brought by the attorney-general in the supreme judicial court of this commonwealth.

On January 19, 1911, the Haverhill Gas Company filed with the board of gas and electric light commissioners, under the provisions of Revised Laws, chapter 109, section 24, an application for the approval of an issue by said company of capital stock of the par value of $900,000, of which the proceeds of stock of the par value of $630,000 were to be applied to the acquisition of the plant and property of the Haverhill Gas Light Company and the proceeds of the remainder were to be applied to the cost of reconstructing and adding to the plant. This application was opposed by the municipal council of the city of Haverhill upon the ground that the proposed sale of the plant and property of the Haverhill Gas Light Company was prohibited by law, that no part of the proceeds of the capital stock of the Haverhill Gas Company could lawfully be used for the purpose of acquiring such plant and property, and that in any event it would be unlawful to issue therefor the amount of stock proposed in such application. On December 30, 1911, the board of gas and electric light commissioners dismissed the application of the Haverhill Gas Company. On June 21, 1912, the Haverhill Gas Light Company gave formal notice that it proposed to convey, and was in process of conveying, its plant and all of its property to the Haverhill Gas Company, and thereupon the attorney-general brought an information in equity in the supreme judicial court seeking to enjoin the Haverhill Gas Light Company from making such conveyance, and this suit is now pending before the full court.

The immediate situation which more particularly requires attention is caused by the fact that on January 19, 1911, and February 16, 1911, certain consumers and the municipal council of Haverhill, respectively, filed petition for a reduction in the price of gas supplied by the Haverhill Gas Light Company. The board of gas and electric light commissioners held numerous hearings, the date of the last hearing being December 14, 1911, and, on December 31, 1912, made a recommendation that "on and after the first day of February next, the price of gas sold by the Haverhill Gas Light Company shall not exceed 80 cents a thousand cubic feet." This

recommendation was not accepted by the company, and, on January 29th of the present year, the board voted that it be "Ordered, that on and after the first day of February next, the net price for gas sold and delivered by the Haverhill Gas Light Company shall not exceed 80 cents a thousand cubic feet."

Immediately upon publication of this order, and before the date when it was to become effective, namely, on January 30, 1913, the Haverhill Gas Light Company filed in the district court of the United States for the district of Massachusetts a bill of complaint in substance setting forth that in respect of the complainant such order was unjust and unreasonable and amounted to a confiscation of the complainant's property contrary to the provisions of the fourteenth amendment to the constitution of the United States, and praying for an injunction to restrain the members of the board of gas and electric light commissioners and the attorney-general from taking any proceedings to enforce such order. A hearing was had before the court upon the question of such preliminary injunction on February 11th, and the court ordered that, upon the filing by the complainant of a stipulation that it would deposit monthly with the clerk of the district court of the United States all sums collected by it in payment for gas in excess of 80 cents per thousand cubic feet, together with affidavits setting forth the persons from whom the money was collected and the amount due to each such person, a preliminary injunction might issue restraining the defendants from in any manner enforcing such order. The stipulation was duly filed and the preliminary injunction was issued on February 15th last.

It results, therefore, that the public authorities who are the defendants in the proceedings in the district court of the United States may not take any action to secure the enforcement of the order of the board of gas and electric light commissioners until the termination of the proceeding in that court, and it becomes of the greatest importance that such proceedings should not only be speedily terminated but should be so terminated upon the fullest and most careful presentation of all the facts and evidence which are material to the issues raised by the bill of complaint, since such determination will vitally affect the public policy of the commonwealth and the enforcement of our laws with respect to quasi-public corporations generally throughout the commonwealth, and particularly with respect to quasi-public corporations engaged in the manufacture and sale of gas and the authority and efficacy of the board of gas and electric light commissioners in matters of supervision and control.

For the emergency created by the necessary employment of experts and other expenses required for the proper presentation of the case for the representatives of the commonwealth, the present appropriation for the department of the attorney-general is inadequate, and there is no special fund from which he may meet it. In view of the importance of the question involved in this litigation, which will probably be carried to the supreme court of the United States, I respectfully suggest for the consideration of your excellency the advisability of requesting in a special message to

the legislature a further appropriation for this department of $15,000, to be expended by the attorney-general, so far as it may be necessary, solely for or in connection with the said litigation.

I am, with great respect,

Very truly yours,

JAMES M. SWIFT,
Attorney-General.

[To the honorable senate and house of representatives, February 27, 1913.]

I call to your earnest attention one feature of our present method of punishing crime which, in my judgment, is not in keeping with the spirit of our day.

Many of the acts which our statutes designate as crimes are so petty that they are properly punishable by the imposition of a fine. Thus, in 1911 (no later figures are available) out of the 68,690 sentenced in our courts, 45,366 were merely fined.

Of this latter number there were 11,550 cases in which the offenders, having no money with which to pay the fine, were sent to jail. These eleven thousand cases were, as a whole, no different in character from the others in which commitments were avoided by the payment of fines. These latter either had money in hand at the time of being sentenced or were able to get it before commitment. The others were less fortunate.

These cases were of such a nature that the ends of justice could be fully met by fines. This fact is demonstrated by the verdict of the court itself in imposing such fines in the first instance. In effect, therefore, these eleven thousand imprisonments resulted from the inability of the offenders to pay their fines.

In the commitment of these eleven thousand persons it is presumed (as it was in the old days of imprisonment for private debt) that the prisoner will thus be coerced into making payment. Experience has proved the unsoundness of this presumption.

In 1911, out of these 11,550 commitments in default of the payment of fines, only 2,321 persons succeeded in paying their fines and securing their freedom.

Moreover, in many instances, the money thus collected from men under commitment is obtained at the cost of seriously impoverishing their wives and children, and rendering themselves and their innocent families destitute, while the stigma of imprisonment remains as the hardest of all possi-

ble obstacles in the path of the prisoner seeking to regain his self-supporting independence.

Grave as these evils are, we must proceed conservatively in seeking a remedy, bearing equally in mind the duty of dealing fairly with the convicted person on the one hand, and of protecting society from the real criminal on the other.

Our present statutes give the courts the privilege, in all cases of non-payment of a fine, of placing the convicted person on probation for a sufficient time to enable him to earn and pay off his fine. But the great numbers of commitments (11,550) indicate the unfortunate failure of some of the courts to permit the use of this humane privilege. Thus, for example, in a group of nine courts, all in the same county of this commonwealth, the proportion of imprisonments for non-payment of fines varies from eight in a hundred, in one court, to fifty-four in a hundred in another court. Both courts operate under the same statutes, and deal substantially with cases of the same general character.

But this is not all. In one of these courts the proportion of cases fined to the total cases begun is thirteen in a hundred; in another court the ratio is sixty-four in a hundred.

In considering these figures it must be borne in mind that the collection of fines in cases placed on probation for that purpose is in general practicable, nearly $32,000 of such fines having been collected last year by the courts of the state which respected and observed this humane provision.

There is a serious flaw in our present statutes to which these inequalities are directly traceable. I refer to the phraseology of the law which authorizes our justices to place cases on probation for the payment of the fine, and in fact requiring them, in cases where the fine does not exceed ten dollars, to do so, "if the court finds that the defendant will not probably default."

A large majority of the courts see in this language of the statute that its intent is to give men time to pay their fines; but there are many others, not in sympathy with the law, who put emphasis upon the qualifying words. They rarely suspend sentences for the non-payment of fines. They are not compelled to do so unless they "find that the defendant will not probably default." They do not so "find," (using the word in a technical sense) at all: and therefore order imprisonment.

Such inequalities beget disrespect for law. The case has added seriousness, because the poorer and more ignorant people get their ideas of justice almost exclusively from the operations of our lower courts, and the facts cited show injustice.

We maintain in this commonwealth a probation system designed to protect society and the criminal, to avoid the needless degradation of the weak and the unfortunate, and to surrender the hardened criminal to the rigors of prison life. What do these provisions avail us if they are not used?

I append hereto the draft of a bill which I believe offers a conservative remedy for these inequalities. The bill merely incorporates a change in the wording of the present statute, to the effect that a court must suspend the execution of a sentence unless it finds, affirmatively and definitely, that the delinquent will probably default if given time to pay his fine, or that his release would be detrimental to the interests of the public. This would tend to bring the administration of the law throughout all our courts into harmony with the practice now established in our most progressive courts.

I submit this matter to your attention, fully convinced that in general the administration of justice in Massachusetts has reached a very high level; and I suggest these needed changes because we should not cease our efforts for improvement until the administration of justice in this commonwealth is brought to the highest possible standard.

[To the honorable senate and house of representatives, March 18, 1913.]

On February 27th last I sent to the general court a message setting forth the number of jail commitments in this state which were ordered by our courts in default of the payment of fines by the persons so sentenced. I showed that 11,550 persons were sent to jail in Massachusetts in 1911, not for crimes requiring such punishment under our laws, but for failure to pay fines; and I urged the legislature to give a more emphatic expression to our probation law, and thus bring all our courts up to the standards established by those now acknowledged to be the most wisely administered.

I find, now, that our parole system equally requires improvement. Both the parole and the probation system must be brought up to high efficiency. Common humanity demands such results. But aside from this, we now incur an

enormous economic loss through the failure of both systems. We must bear in mind the costs of committing and maintaining in jail the many thousands of men and women who are sent there solely from failure to pay fines. We must remember that, under our present system, prison inmates are either idle or put to some work which shows no appreciable economic return; and that on their release all prisoners are handicapped for life and their chances of earning a living greatly reduced. It is these economic, as well as humanitarian considerations, that must be respected.

I am convinced that the legislation which authorizes the prison commissioners to delegate their powers to the chairman is very unwise, especially in reference to our parole system. No one man can do what is expected of the chairman; and in any event the concentration of so much authority in one person is undesirable. Each of the commissioners should feel a personal responsibility for the administration of our prisons; otherwise we could as well dispense with the commission. I submit herewith the draft of a bill to revoke the present law, which authorizes the commission to delegate its duties to the chairman, and requiring that three members of the commission shall act in person as a board of parole for each of our penal institutions; the chairman to be a member of each of these boards. Each such board should be required to meet at least once a month at the institution for which it acts. Candidates for parole should be seen in person by this board, and no permits to be at liberty should be granted unless signed by two members of the board. The undoubted failure of our present parole methods, and the large percentage of persons recommitted to jail, make these reforms of method absolutely imperative.

Also, the supervision of paroled prisoners lacks the thoroughness and effectiveness which is absolutely essential if the best results are to be obtained. The most thorough supervision of paroled prisoners, and prompt return for the violation of parole conditions, are vital to success. An organized parole department, which shall have a large part of the attention of a competent deputy, seems to be essential.

The method of granting paroles from the state prison is unsatisfactory. I am told that in some other states a grading and classification system prevails under which men demonstrate their fitness for release. One of its greatest advantages is that it removes all reason for believing that favoritism prevails. When men secure release by their own efforts, they

have no grounds for dissatisfaction with the administration. It must be of great advantage, also, as an inspiration to effort on the part of the prisoner. It is to be regretted that no attempt has been made to establish the grading and marking system authorized by law.

The law which requires agents to obtain employment for those who are to be released from state institutions is only partially complied with. The agents are not required to give their entire time to the work of gathering information regarding prisoners committed to the state institutions, and to the care of discharged prisoners. Some of them are used to transfer prisoners from one institution to another, and receive extra compensation for work done in time paid for by the state. I am certain that we are spending too little money and too little effort upon the after-care of prisoners. We ask no questions about appropriations of millions for police, courts and prisons, but grudge a few thousands for the restoration of those who have been imprisoned.

As far as is possible, all prisoners should have work found for them before discharge. In some cases they can do this themselves, but many must have it done for them. Otherwise they are penniless soon after they are released, and are under great temptation to repeat their crimes. I have no doubt that if the agents were relieved of transfer work, and were required to give all their time to their other duties, many discharged prisoners could be kept from relapsing.

COUNTY PRISONS.

The county prison has no place in a model prison system, and no logical reason for continued existence. On this point I cannot do better than to quote one of my predecessors, Governor Wolcott, who, in 1899, in his inaugural, said:

> There appears no sufficient explanation in theory of the fact that the state controls certain institutions in which is confined a portion of the criminal population, while the remaining portion is in institutions controlled wholly by the several counties.
>
> Nor is there any clear line of division between prisoners convicted of minor offences who are supported by the state and those supported by the counties. For many offences prisoners are committed either to a state or county institution at the discretion of the judge before whom the case is tried.
>
> All offences, of whatever nature, are committed, both in fact and in contemplation of law, "against the peace of the commonwealth," and not of any particular locality, and are heard and determined before magistrates holding the commission of the commonwealth.

This divided control of penal institutions, not justifiable on any easily comprehensible theory, results in practice, as might be expected, in lack of uniformity of discipline, diet and employment; in imperfect classification of the inmates as regards sex, age and degree of criminality and degradation, and in consequent unnecessary difficulty in the application of reformatory treatment.

CLASSIFYING MINOR OFFENDERS.

But the county prison can be greatly improved, even though it remains in the control of the county. It now receives prisoners committed for all kinds of offences; of all grades of criminality. It is inevitable that under these circumstances it shall be a school of corruption rather than a place of correction.

For many years the law has authorized the prison commissioners to classify county prisoners, but they have never attempted to do so. If all the men who have long sentences could be gathered in a few county prisons, it would be possible to employ them to better advantage. Prison schools could also be established in county prisons, if prisoners were classified. There is a growing belief that when the state has a man in its custody, it should do its utmost to improve him, mentally, physically and morally. The prison school is one of the most effective agencies. In the state prison, it has accomplished a great work. Rarely has a man returned who has learned to read and write there. The long sentenced offender, in the county prison, should have as good an opportunity as the man who is sent to the state prison for the gravest crime.

I can conceive of no condition more likely to produce a confirmed criminal than that of a man of average intelligence confined in a prison on a long term. Practically no appeal is made to him along the lines of his higher nature. Many hours of every day he is idle; and if he thinks at all, it is likely to be about the pleasures of his old life. Nothing is done to improve his mind, or to give him a larger or better view of life. All his wants are supplied without any effort of his, and his companionships tend to draw him downward. Such a process produces mental and moral weaklings, ready to yield to the first temptation. The prison school would do much to improve these conditions, and classification would make prison schools possible and practicable.

I submit herewith the draft of a bill providing for the better classification and education of prisoners.

[To the honorable senate and house of representatives, March 19, 1913.]

Herewith I transmit a letter from Col. Edward O. Skelton, chairman of the Massachusetts commission on the fiftieth anniversary of the battle of Gettysburg, together with the draft of a resolve, also submitted by the chairman of the commission, to provide for the transportation and expenses of veteran soldiers and other persons who are to take part in the celebration of the fiftieth anniversary of the battle of Gettysburg.

I place these papers before you for your consideration.

BOSTON, March 3, 1913.

Hon. EUGENE N. FOSS, *Governor, Commonwealth of Massachusetts.*

EXCELLENCY: — The commission appointed by you May, 1911, to arrange for the participation in the celebration of the fiftieth anniversary of the battle of Gettysburg July 1–4, 1913, by the veterans of the civil war, who participated in that battle, or who were in the reserve, and who are now residents of the state of Massachusetts, beg leave to report that they have arranged for the transportation of 1,600 veterans, residents of this state, at the expense of the commonwealth, from their homes, which are located in 353 cities and towns of the commonwealth, to Gettysburg and return, and that the transportation for each veteran will average $16.50, making a total expense to the commonwealth of $26,400, and as the number of veterans who are eligible to receive this courtesy from the state will be probably increased between this date and July 1 next, this commission very respectfully asks that a sum not exceeding $30,000, or so much thereof as may be required, be appropriated by the general court for the purpose enumerated above, and that the payment of all bills connected therewith be made by the treasurer of the commonwealth, upon receipt of vouchers, approved by the chairman of this commission and the governor and the council.

It may be pertinent to also say that this commission have also received requests to arrange for transportation of about 1,700 veterans residing in the state, who will pay their own transportation, making a total of 3,300 veterans who have indicated to this commission their intention to attend the celebration of the battle of Gettysburg next July from this commonwealth.

We have the honor to be,

Very respectfully,

MASSACHUSETTS–GETTYSBURG COMMISSION.

EDWARD O. SKELTON,
Chairman.

[To the honorable senate and house of representatives, March 20, 1913.]

I call to your attention the need of providing more adequately for the housing of reformatory inmates and the inmates of our state and county prisons.

The state prison was built many years ago, and its buildings are for the most part unfit for use.

The reformatory buildings at Concord are by no means ideal for their present use, but might possibly be utilized to better advantage as a prison.

The buildings of the reformatory for women at Sherborn are declared by competent authorities to be wholly unfit for their purpose. They were built when there was little knowledge about the class of women to be provided for or about their treatment.

Some of the counties possess excellent jail buildings, not fully utilized and not adapted to short term men, such as drunkards, who need out of door work; but which would be available under a better prison system for certain classes of long term prisoners.

It is clear that we should institute a better system of utilizing the buildings we now possess; that we should also ascertain what new buildings are necessary, assuming we are to demand the best possible use of the present ones; and ascertain also to what extent prison labor may be utilized in further building operations.

Merely to build a new state prison and add it to the present penal equipment of the commonwealth would be of little, if any, advantage. Our first requisite is a modern method of classifying prisoners, locating in one institution all who require the same general type of custodial care, at another those suited to instruction and remedial treatment, and so on.

With our present state prison, no such classification of its seven hundred inmates on the basis of character is remotely possible. This prison was constructed mainly at a time when no attempt was made at classification.

The attempt to classify our present prison population must take into account not only the state prison but the state reformatories for men and women and the several county jails. At all of these three types of institutions there are many long sentence prisoners; and what to do with them is one problem, — not three problems. But the present lack of any coherent method has greatly complicated even this problem.

However, there is one very important class of delinquents

for whom we now make no real provision whatever, but for whom we must provide immediately, for the protection of society. I refer to those unfortunates of both sexes who are now punished by our laws but who, nevertheless, are admitted to be constitutionally lacking in some quality of self control or mental balance. They cannot be adjudged insane, but through an unfavorable heredity they are "defective." If left at large in the community they constitute one of our gravest social dangers. But neither the prison nor the asylum is adapted to their incarceration, and they are rarely capable of reform.

For these "defective delinquents" we should make provision forthwith. Chapter 595 of the acts of 1911 requires the maintenance of "departments for defective delinquents," and it is now obvious that special cottage buildings are needed for this purpose.

I therefore recommend that provision be made for erecting two such cottages for male patients at the state farm, where they can be administered under the medical director of the hospital for the criminal insane and where these buildings can be utilized by that hospital when the time comes for establishing a separate institution for the defectives.

To provide for female defectives, I recommend the purchase of cheap land at Sherborn, near but not within the present reformatory grounds, and the erection of two or more cottages thereon.

While the future of the present Sherborn reformatory as such is in doubt, it is not likely that the commonwealth will abandon the existing plant and establishment. Reconstruction on a more enlightened plan seems more probable; and the proposed new buildings will not be inconsistent with such reconstruction.

So much can be done at once. But as to the further modernizing of our general penal system, I feel strongly that the problem should be studied in all its bearings before the public funds are expended in this direction. Especially should we consider the taking over by the state of all county jails, with complete disregard of the personal interests and protests of county officials who depend largely for their political power and patronage on retaining the county system intact.

Our first business should be to investigate carefully the possibility of establishing state care for all prisoners in the commonwealth who are serving long sentences; to devise a

proper prison system on modern lines; and then to construct a prison to fit the system.

Accordingly, I submit herewith the draft of three bills. The first of these provides for new buildings for "defective delinquents;" the second calls for the appointment of an expert alienist to assist in the proper treatment of female defective delinquents; and the third calls upon the prison commission to report as to the best method of providing institutional accommodations for our present prison population and for the state care of all prisoners within the commonwealth who are convicted felons.

[To the honorable senate and house of representatives, March 21, 1913.]

I call your attention to the urgent need of more adequate banking and credit facilities in our rural communities.

The capital invested in Massachusetts farms is approximately $226,000,000. The value of their annual product is estimated at nearly $100,000,000.[1]

These properties are, in effect, manufacturing enterprises and as such they cannot be properly managed without suitable financing. Money must often be borrowed for improvements and extensions. Money is necessary to purchase raw materials; to pay labor; to maintain the property during the winter season; to raise the annual crops, and to carry them to market. These financial operations are as necessary on a farm as in a factory. In either case, cash should be readily obtainable to meet current needs, provided adequate security can be given in return.

In general, the security of productive real estate is stronger than that furnished by many other classes of property. This is clearly recognized in our laws which authorize savings banks to make loans on real estate and prohibit such loans on certain personal property. Nevertheless, although the security offered by our productive farms is so strong that savings banks may accept it, the American farmer pays for his borrowed capital an average interest rate of eight and one half per cent, while men engaged in manufacturing or merchandising are able to secure cash loans for lower rates and often on security which is intrinsically no better than that offered by the farmer.

At present in Massachusetts a large proportion of the savings of the people are deposited in the savings banks; the

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[1] Value in 1895, $52,000,000; 1905, $73,000,000; estimated value in 1913, $100,000,000.

operations of which are confined very largely to cities and towns; and their deposits are not readily available for immediate agricultural needs.

The European farmer, under a far more equitable system, is able to operate his properties on a far more business-like basis. He can readily secure capital for either short or long periods; he can finance the production of his crops and the distribution of his farm products on credit; and he is able to maintain his property in first-class working condition.

All this he is able to do under an average rate of interest, in France and Germany, of approximately one half of the rate which is charged the average American farmer.

The adverse conditions under which our farmers operate are eliminated in Europe to a great extent by several well-established financial methods. One of these is the so-called "Credit Union," a scheme of financial co-operation among the farmers of a community which has reached the greatest development in Germany and Italy.

The extent to which these credit unions have obtained a foothold in Europe is astonishing; and their financial soundness is unquestioned. In France I understand these associations hold a record of never having lost a cent. In Italy they now do one third of the total banking business of the country. In Germany their combined operations equal that of the commercial banks.

In Belgium there are nearly 500 of these banks with a membership of 25,000 and outstanding loans of $4,000,000.

In Austria there are 6,000 such banks with a membership of 725,000 and outstanding loans of nearly $100,000,000.

In Italy there are nearly 700 such banks with a working capital of over $170,000,000.

In Germany there is one such bank for every 1,600 of the population and the total business done is nearly $5,000,000,000.

The most significant feature of these European credit associations or banks is that they charge an average of one or two points less than commercial banks and yet earn a substantial profit on their capital.

The famous Raiffeisen banks of Germany are mutual associations and make loans to their members on the basis of character security. These are not utilized for the purpose of mortgaging farm properties in general. They represent a cash reserve from which the farmer can, on the basis of his

standing in the community, obtain a loan of money from his associates in the society at a moderate rate of interest, and for longer or shorter terms in accordance with his necessities.

These banks represent therefore to the farmer the same sort of credit facilities that obtain among financiers and manufacturers for the securing of personal credit to carry on their business enterprises with the least possible delay or formality. With this great power of financial co-operation the farmer who lives up to his obligations as a member of the association can secure all the credit he needs and is not hampered in the development of his farm for lack of funds.

The Massachusetts legislature of 1909 legalized the formation of such credit unions in this commonwealth and the first concern to start under this law was formed at Springfield with a membership of 105, a capital of $3,000 and $10,000 of outstanding loans. Since that time twenty-six new unions have been formed with 2,862 members and total assets of $94,080.-41.[1] Last year these associations made loans to 752 members.

At present the more rapid growth of these credit unions in Massachusetts is prevented by the lack of information among the farmers as to the purposes and the value of such associations and by a feeling of reluctance on the part of the individuals to have their financial condition known to their neighbors who would normally be their associates in the local credit union. But as soon as it becomes realized that this system is the financial safeguard and life preserver of the Massachusetts farmer, it is bound to come into wide application.

I therefore urge the legislature to make provision whereby the bank commissioner, the department of agriculture, the state agricultural college, and the county agricultural societies and schools may disseminate information regarding these systems; and thus lead to the establishment of local credit unions throughout the state. An appropriation of public money, made for the preparation and distribution of pamphlets and the work of practical co-operation in establishing such systems, would, in my judgment, be a wise public investment.

In addition to these credit unions we must consider the establishment of local societies or corporations for the purpose of issuing land mortgages. In Germany these societies of borrowers, under the name of "Landschaften," have very

[1] Up to October 31, 1912.

generally eliminated the private money lender. They are associations pure and simple, have no shares, and pay no dividends. Profits, if any, are used to reduce the loans. The management is gratuitous; the borrowers make up the body of the association and they are thus able to lend the money safely at lower rates of interest than any other form of corporation.

These associations assume direct responsibility for the loan, give cash to their members for mortgages, and for this purpose they raise funds by issuing and selling bonds. They have abolished the practice of requiring mortgages to be paid in lump sum and have instituted mortgage loans repayable by annual installments through a long period of years, these installments being reserved to redeem the bonds.

This scheme of deferred serial repayments, known as "amortization," has revolutionized the mortgage system of Europe. Three elements are necessary to it; first, the debenture bond upon which funds are raised; second, the system of serial repayment or amortization; and third, the establishment of sinking funds for the cancellation of the original bonds. The combination of these three elements is absolutely necessary to success in order to attract a steady flow of cheap money to agriculture; but this combination has never been used in the United States for the benefit of the farmer, and it is not used to-day in Massachusetts in connection with credit unions as it should be. Hence foreclosure proceedings are a daily occurrence and the farmer hesitates to raise money to carry on his business through fear of legal action by the mortgagee.

In spite of the example furnished by Europe for many generations, we are still permitting mortgages to be issued largely as a matter of brokerage, while mortgages are drawn up either for short terms or in the form of a "demand note."

Under the European method of amortization, mortgages run for twenty to fifty years and are retired by the payment of small annuities, no principal remaining to be repaid at the end of the amortization period. The prevailing interest rates on these amortizing mortgages in France is at present four and three tenths per cent. In France the farmer can extinguish his mortgage debt in twenty years by the annual payment of seven and one half per cent, at the end of which period no further cash payment remains to be paid, the mortgage being cancelled in full.

There are many farmers in Massachusetts who will bear witness to having paid higher rates of interest for longer periods than this at the end of which time their mortgage has remained at its original amount or materially increased.

The importance of studying these systems is shown in the report of Ambassador Myron T. Herrick (see senate document No. 967, sixty-second congress, third session) that the farmers of the United States, who are adding over $8,000,000,000 to the wealth of the country each year, are doing this on a borrowed capital of $6,000,000,000. Under our present system this borrowed capital is derived from outside sources, and, at the maturity of the loans, must be refunded in full, besides the heavy annual interest charges.

Under the European systems of co-operative credit all this working capital would be obtained by the combined resources of the farmers themselves and none of the principal or the interest would be permanently withdrawn from the field of agriculture but every penny of it would find its way back into the service of the farmers.

Our farmers are now paying an aggregate annual interest charge of over $5,000,000 on these farm loans. A co-operative system would return all these charges to the field of agriculture whether the average rate were more than as at present, over eight per cent or were reduced to the level of the average European mortgage rates of from three and one half to four and one half per cent.

In 1911 we exported $385,000,000 worth of foodstuffs and this enormous amount represents only approximately three fourths of the interest charges on mortgages which the farmers paid out during that year.

Through the establishment of agricultural credit unions and land mortgage banking associations the $6,000,000,000 of borrowed capital now used by our farmers would be very largely drawn from their own communities and the bonds and other securities, while sufficiently liquid for wide distribution, would, in general, remain in the community also.

Not only would the farmer have the advantage of quick and ample borrowing facilities at low rates of interest, but the present tendency toward the undue concentration of securities in our principal cities would be immediately checked.

The financial success of the European farmer has followed the establishment of means whereby European agricultural communities may finance their own operations securely and

at moderate rates of interest. Practically speaking, we have absolutely no equivalent of these European systems.

Should the legislature be disposed to encourage the extension of rural credits and land mortgage banking associations in this commonwealth, I feel that the first step to take would be to authorize the governor to send properly qualified delegates to the forthcoming session of the southern commercial congress which is to meet during the summer months of this year at the international institute of agriculture in Rome and under the general direction of the Hon. David Lubin, the American delegate to the international institute.

Authorization for the expenditure of sums up to but not exceeding $2,400 would be required for this purpose.

For the information of the legislature in this connection, I transmit herewith a letter, under date of October 11, 1912, from President Taft, together with the official reports of Ambassador Herrick and other governmental papers bearing on the subject of agricultural credit unions, and land mortgage banking associations.

THE WHITE HOUSE, WASHINGTON, October 11, 1912.

His Excellency EUGENE N. FOSS, *Governor of Massachusetts, Boston.*

MY DEAR GOVERNOR FOSS: — For some months past, at my direction, the department of state, through its diplomatic officers in Europe, has been engaged in an investigation of the agricultural credit systems in operation in certain of the European countries. Although the investigation is still under way, a preliminary report has been submitted, together with recommendations of Ambassador Myron T. Herrick in connection with my proposal to adopt this system in the United States.

A study of these reports and of the recommendations of Ambassador Herrick, which I am sending you, convinces me of the adaptability to American conditions of the co-operative-credit plan as set forth in the organization of Raiffeisen banks of Germany. The establishment and conduct of such banks, however, are matters for state control. I suggest, also, the establishment of land-mortgage banks under state charters and the formation of co-operative mortgage-bond societies along the lines of the Landschaften societies of Germany, provided that uniform state legislation can be secured to govern their organization and operation. As a later step I favor the enactment of laws by congress permitting the organization of national land-mortgage banks, to be operated under strict government supervision, with the power to guarantee and market the guaranteed debenture bonds of the state land-mortgage banks or co-operative societies. I recommend for your consideration the report and recommendation of Ambassador Herrick, now

published by the department of state for general distribution. This report should receive the attention of every one interested in the problem of agricultural finance and, indeed, of all persons interested in the welfare of the American farmer.

The need for the establishment of an adequate financial system as an aid to the farmers of this country is now quite generally recognized. The governmental initiative, taken by the department of state under instructions issued by my direction to the diplomatic officers in Europe on March 18th last, have been effectively supplemented by the American bankers' association, the Southern commercial congress, and by many other bodies by whom this question has been agitated, and valuable work has been done in studying and disseminating knowledge of those great instrumentalities which have been created in foreign lands to extend to their agriculturists credit facilities equal in benefits to those enjoyed by their industrial and commercial organizations. The handicap placed upon the American farmer through the lack of such a system and the loss sustained by the whole citizenship of the nation because of this failure to assist the farmers to the utmost development of our agricultural resources is readily apparent.

The twelve millions of farmers of the United States add each year to the national wealth $8,400,000,000. They are doing this on a borrowed capital of $6,040,000,000. On this sum they pay annually interest charges of $510,000,000. Counting commissions and renewal charges, the interest rate paid by the farmer of this country is averaged at eight and one half per cent, as compared to a rate of four and one half to three and one half per cent paid by the farmer, for instance, of France or Germany.

Again, the interest rate paid by the American farmer is considerably higher than that paid by our industrial corporations, railroads, or municipalities. Yet, I think, it will be admitted that the security offered by the farmer in his farm lands is quite as sound as that offered by industrial corporations. Why, then, will not the investor furnish the farmer with money at as advantageous rates as he is willing to supply it to the industrial corporations? Obviously, the advantage enjoyed by the industrial corporation lies in the financial machinery at its command, which permits it to place its offer before the investor in a more attractive and more readily negotiable form. The farmer lacks this machinery, and, lacking it, he suffers unreasonably. This is not theory. Through all the changing conditions of a century the soundness and practicability of such financial machinery, based upon the peculiar credit needs of the agriculturist, has been tried out, and so successful has been its operation that in Germany, in times of financial stress, money has been taken out of the commercial field and placed in the keeping of that empire's agricultural co-operative banks for safety. The value of this assistance to the farmer receives unquestionable testimonial in the growth of the system in the countries of Europe. More specifically this advantage may be seen in the fact that through this machinery the German farmer has received money, at times, at rates lower than those current in commercial loans.

But the advantages to be gained by the adoption of this plan go beyond the direct saving in interest charges to the farmer. The

great necessity which prompted the establishment and extension of this plan throughout Europe was that of checking the rapidly advancing increases in the cost of foodstuffs, brought about by the inevitable increase in consumption and the failure of the long-drained soil to afford a corresponding increase in production. That problem faces the people of this country to-day — not in so severe a form as it threatened the older countries of Europe, but, still, as a great and pressing economic problem.

In Europe this problem has been successfully met, first, by reducing the cost to the farmer of producing his crops and, secondly, by increasing his production through the adoption of improved methods of cultivation. Both the federal and state governments in this country have done much to afford the farmers instruction in improved agricultural methods. But it still remains for us to reduce the cost of the farmer's production by affording him the necessary capital for the exploitation of his soil upon the most advantageous terms. He must be afforded the money necessary for him to adopt improved methods. It must be made profitable for him to place every acre of his ground under cultivation. This offers the consumer relief from the increasing cost of foodstuffs.

It is this portion of the task that still remains to be performed in this country, and it is in this task that I invite your co-operation.

This country enjoys to-day great prosperity. The factories are busy, the workmen employed, and everywhere the wheels of industry hum. The farmer shares in this general prosperity. We have come to look upon the farmer of to-day as one of our most prosperous citizens. The proposal which I make is not to subsidize the American farmer. Fortunately for this country he does not need it, nor would he accept it. What this plan offers is a means to secure to this country greater productivity, at less cost, from the farms that are now under cultivation, and, above all, to give us more farms and more farmers. It will make it profitable for the farmer to return to the cultivation of the abandoned farms of the east and to open up the vast areas of untilled land in the west.

All this can be done, and I am convinced that in this country it must be done, by the efforts of the farmer himself. It is natural that some of the European governments should have extended a paternal protection over the systems of agricultural finance and to have given them financial as well as legal assistance. This, however, must be guarded against in this country. We must establish a credit system of, for, and by the farmers of the United States. It were better, otherwise, not to consider the matter at all. It is an interesting commentary on the value of paternalistic governmental support to note that this plan of agricultural co-operative credit has thrived best — in fact, has enjoyed a substantial development only — in those countries where the movement has grown up from the farmers and where the government has to the greatest degree refrained from attempts artificially to nurture the plan by subsidy and has restrained its interference to the proper field of imposing restrictional legislation for the purpose of preventing speculation.

The entire field of agricultural co-operative credit is properly divisible into two parts: First, the co-operative societies of farmers, formed for the purpose of obtaining personal credit; and, secondly,

the societies or private corporations formed to create sound security in land mortgages for the purpose of gaining a national or international market for bonds based upon farm-land mortgages. Both of these forms of co-operative credit may be found in many of the European countries under varying forms of organization. The general principles, however, are very much the same.

It is not practicable here to go into the details of the organization followed in European countries in the formation of these co-operative societies. A very good law has been enacted by the state of Massachusetts allowing the incorporation of credit unions, which should furnish an excellent example for other states. Their establishment is generally a matter for state legislation and encouragement, their organization and management are wonderfully simple, and the experience of the European countries shows that their success is practically inevitable where the environments are congenial to their growth and where proper laws are passed for their conduct. Although undoubtedly the organization followed in the European countries could not be adopted in its entirety in this country, I would advocate the general principles followed by the so-called Raiffeisen banks of Germany. These smaller societies should restrict their loans to personal credit. They are not intended to make large loans on land mortgages, although, indirectly, the lands of all the members form the security. Above all, the cardinal principle should be followed that all money loaned should be for a strictly creative purpose. No loan for the purchase of anything merely for consumption should be tolerated.

The business of furnishing money as loans on real estate is the proper province of the co-operative societies or private corporations, which I have placed in the second class. In Germany this is done through co-operative societies known as Landschaften and through mortgage banks. In France it is done through the Credit Foncier.

The chief advantages brought to farmers through such institutions are lower interest rates and easy amortization, whereby the borrowing farmer may repay his loan bit by bit, extending these payments over a long number of years. Thus, his obligations are made proportionate to his annual receipts from the exploitation of his soil, and the danger of foreclosure is vastly reduced. To appreciate what this amortization plan would mean to the farmers of this country, it is only necessary to consider the foreclosure records of some of our states.

It is not my purpose here to lay down any one plan as necessarily the one most suitable for adoption in the United States. From the reports of our ambassadors and ministers in Europe and from the recommendations of Ambassador Herrick, to whom was given the task of compiling from these the general report, I am inclined to suggest the suitability of organizations similar to the German land-mortgage banks for incorporation under state charters in this country. It will be most desirable, if not, indeed, essential, that the laws creating and governing such institutions should be uniform throughout the states, in order that they might be well understood by the investor, and their debentures should be given character both at home and abroad. As a later step it may prove advisable to urge the enactment by congress of laws permitting the

creation of national land-mortgage banks similar to those of Germany and France, with limited privileges, and surrounded and guarded by strict supervision, but with sufficient appeal to American initiative and opportunity, with the power to guarantee and market a guaranteed debenture bond of the state mortgage bank or co-operative society. Securities issued by such national institutions would probably find a ready market in Europe at low rates of interest, since they are a favorite and familiar form of investment in those countries by the conservative investor.

The most essential point to bear in mind is the need for the assumption by the federal and state governments of the responsibility for economically and honestly conducted institutions. Such assumption is the essential precedent for obtaining the confidence of the American as well as the European investing public. In this field, as in all others, there is room for harmful exploitation for personal gain. That must be guarded against. Therefore, I invite you to make this matter the subject of earnest study and exchange of views between the state executives, and I now extend to you, with the governors of the other states, a cordial invitation to confer with me in Washington, on the occasion of the next annual conference of governors, in order to consider means for the adoption of an agricultural credit system as a benefit to the American farmer. I understand that the congress of governors is to occur in December. Were not the interval so short, my conviction of the importance of this subject would impel me to invite you to a special conference at a still earlier date.

Renewing my request for your hearty co-operation in a work of such nation-wide benefit to the farmer, the consumer, and, indeed, to the nation at large,

I am, my dear Governor,

Very sincerely yours,

WM. H. TAFT.

[To the honorable senate and house of representatives, March 22, 1913.]

Herewith I return without my approval An Act to incorporate the Suffolk law school, which includes in its provisions that this school shall be empowered to confer the degree of Bachelor of Laws.

The bill in its principal features is substantially the same as the bill which I vetoed last year; and the same considerations govern me now that led to my veto on March 6, 1912.

The argument for this bill rests very largely on the fact that the degree-granting privilege was given many years ago to a charitable institution which maintains a world-wide organization and which possesses very large resources.

The claim is made for this bill that what has been done for one institution should be done for another, notwithstanding the fact that "two wrongs never make a right." The argument upon which this bill rests is one which comes up

continuously in the hearings before legislative committees and on the floor of the general court. This argument is urged repeatedly for special favors and considerations of all kinds, and is used in general as a substitute for those public considerations which ought solely to control all governmental acts. It is the foundation of practically all the pernicious measures which are urged each year before the legislature.

I heartily sympathize with the desire of ambitious young men and women to study law; and this opportunity is now open to them, not only in the Suffolk law school, but in other institutions throughout the commonwealth. The present bill does not in any way increase these opportunities, nor does my veto abrogate them. The whole question turns primarily upon the granting of degrees.

From the beginning this commonwealth has stood prominently before the entire world for the excellence of her educational methods and institutions. This acknowledged leadership of Massachusetts is one of the proudest possessions of the state and it is not only a proud but a most valuable possession.

Duly accredited graduates of our Massachusetts institutions are received in all quarters of the world with honor and respect. They enter positions of responsibility and receive high rates of compensation.

It does not appear to be the part of wisdom to nullify the benefits which the people of Massachusetts have conferred upon themselves in insisting upon the maintenance of the highest standards in education.

These standards are maintained by the commonwealth, which delegates the degree-making power to institutions only upon adequate proof that this power will be applied wisely and in strict accord with the high ideals of Massachusetts.

The Suffolk law school, however worthy its purposes, is a self-supporting institution; and universal experience proves that an institution equipped properly for the expensive and intricate processes of education cannot be self-supporting but must depend upon the grants of either public or private funds. The present bill carries absolutely no guarantee that the school in question is able, or ever will be able, to maintain from the fees of students that quality of instruction requisite whenever the seal of the commonwealth's approval is to be conferred through an academic degree.

In passing upon this petition of the Suffolk law school, we should give full consideration to the individual interests

of the school itself and to those of its students, present and prospective; but infinitely above these considerations rises the public policy of the commonwealth, and it is this policy which is now involved.

The question is perfectly clear and simple. Are we to maintain these standards at their present height? Is a Massachusetts education to continue as one of the most valuable assets a young person can possess? Is an accredited graduate from one of our institutions to be received all over the world with honor and given profitable employment? Or on the other hand, is it better for the commonwealth and for her citizens to lower her standards, to stamp with the approval of the state a course of study of doubtful sufficiency?

This measure is opposed by the state board of education, which regards it as a step in the wrong direction. Against it the Suffolk Bar Association and the Massachusetts Bar Association have earnestly protested. I cannot avoid the conclusion that, if I were to approve it, I should thereby consent to a lowering of the educational standards of the commonwealth; and I have therefore no course but to veto the measure.

[To the honorable senate and house of representatives, March 24, 1913.]

Herewith I transmit the recent report of the board of Panama-Pacific managers for Massachusetts, setting forth the present condition of the exposition project and outlining the plans of the Massachusetts commissioners for the promotion of Massachusetts and New England interests in connection with the exposition.

The commissioners advise that adequate appropriation be made for an effective representation of the social, industrial and commercial life of Massachusetts at the exposition; and further advise that for this purpose a Massachusetts building be erected which shall be patterned after the Bulfinch front of the state house, with the dome, and including the memorial hall. This building could be erected of staff or other temporary construction material, and would undoubtedly be most effective for the purpose.

The commissioners furthermore propose to co-operate with the commissioners appointed or to be appointed by other New England states, for the purpose of grouping the buildings of the several New England states in such a way as to centralize and co-ordinate the interests of this region.

They furthermore propose a plan for collecting and dis-

seminating among Massachusetts manufacturers certain valuable information regarding the trade possibilities in the western and oriental countries.

The significance of the commissioners' recommendations is clearly seen in a statement that the countries directly tributary to the Pacific and Indian oceans comprise a population of 900,000,000 exclusive of our own states and of Canada and Alaska; and that the imports of these countries in 1911 were valued at $2,590,000,000. Of these imports the United States furnished only from two tenths of one per cent in the case of the Dutch East Indies to fifteen per cent in the case of Japan.

The commissioners point out that the opening of the Panama canal will facilitate the exportation of American products to the orient, and that the manufacturers of Massachusetts will find in the Panama-Pacific exposition a valuable means of increasing and extending their export business.

I am heartily in accord with the principal recommendations of the commissioners, and I sincerely urge the legislature to give their report most careful consideration and to provide adequately for the erection and maintenance of suitable exposition buildings and equipment.

REPORT OF THE BOARD OF PANAMA-PACIFIC MANAGERS FOR MASSACHUSETTS.

OFFICES OF THE BOARD OF PANAMA-PACIFIC MANAGERS,
TREMONT BUILDING, BOSTON, March 1, 1913.

To His Excellency the Governor, and the Honorable Council, Senate and House of Representatives.

Chapter 144 of the resolves of 1912 reads as follows:—

RESOLVE TO PROVIDE FOR THE REPRESENTATION OF THE COMMONWEALTH AT THE PANAMA-PACIFIC INTERNATIONAL EXPOSITION.

Resolved, That for the purpose of exhibiting the resources, products and general development of the commonwealth at the Panama-Pacific International Exposition to be held at San Francisco in the year nineteen hundred and fifteen for celebrating the completion and the opening to commerce of the Panama canal, the governor, with the consent of the council, shall appoint a board to be called the Board of Panama-Pacific Managers for Massachusetts, to consist of five residents of the commonwealth, of whom two at least shall be women. The said board shall have charge of the interests of the commonwealth and its citizens in the preparation and exhibition at the said exposition of the natural and industrial products

of the commonwealth and of objects illustrating its history, progress, moral and material welfare and plans for its future development, and of all other matters relating to said exposition. The board shall communicate with the officers of the exposition, and shall obtain and disseminate throughout the commonwealth all necessary information regarding the exposition, and in general shall have and exercise full authority in relation to the participation of the commonwealth and its citizens in the exposition. Said board is authorized to confer with similar boards or commissions of the states of Maine, New Hampshire, Vermont, Rhode Island and Connecticut for the purpose of considering the advisability of grouping, so far as may be practicable, the buildings of each state at the exposition and of the establishment of a permanent united exposition of New England products in suitable quarters after the close of the said exposition. The board shall report to the governor and council and to the general court not later than March first, nineteen hundred and thirteen, and shall thereafter expend for the purposes of this resolve such sums as may be appropriated by the general court.

In order to carry out the provisions of this resolve there may be expended from the treasury of the commonwealth during the current year a sum not exceeding fifteen thousand dollars for defraying the travelling expenses of the board, the salary and expenses of an executive secretary, the cost of offices and office force and equipment, and such other expenses as may be approved by the governor and council. [*Approved June 5, 1912.*

Pursuant to such authority the governor with the consent of the council on November 20, 1912, appointed as members of the board:

PETER H. CORR,
MRS. CHARLES S. HAMLIN,
ALEXANDER SEDGWICK,
MRS. JOHN HAYS HAMMOND,
GEORGE F. MEAD.

For the purpose of conferring with the officers of the Panama-Pacific international exposition and of fully, by actual observation, determining the plan and scope of the exposition and its educational and commercial values to the people and industries of this commonwealth, three members of your board visited San Francisco. It is a source of regret to us that all of your board could not do so but, even as it was, considerable time elapsed before a visiting quorum could be secured.

Peter H. Corr, Mr. Alexander Sedgwick and Mr. George F. Mead, representing your board, reached San Francisco on January 30, 1913, and were most cordially welcomed by the officials of the exposition, representatives of the New England society and prominent citizens of California, who all vied in extending kindly greetings and considerate but unobtrusive hospitality. From the first we were impressed by the earnestness of purpose displayed by those with whom we came in contact, and an evident intent and determination to make the exposition of 1915 far-reaching in results,

worthy of the union and in harmony with the great event which our nation has invited all peoples to join in celebrating. The vital importance of a task involving the reputation of San Francisco and California as custodians of the dignity of the United States is thoroughly understood, and it is accepted with a determination equal to that which met and overcame the great disaster of 1906 and has built a San Francisco better and greater than the city destroyed by fire. The quality of New England blood which displayed its forcefulness and indomitable resourcefulness after the Boston fire, and again after the Chicago fire, again asserted itself in stricken San Francisco, and now it reasserts itself in the planning and building of a universal exposition by which our nation officially will celebrate the opening of the Panama canal. No one can see what those men of California have done, the breadth and scope of their plans and the intensity of their purpose to deserve the confidence of the nation, without awakening to the fact that the Panama canal celebration of 1915 will have greater educational and commercial values than have been present in any exposition ever given in this country or abroad. The time is ripe for gathering together the peoples of the earth and the Panama canal makes it possible, appropriate and universally most convenient to locate such concourse at San Francisco, the metropolis of our Pacific coast.

Your board, after carefully studying conditions, is convinced that by so much as the commonwealth and citizens of Massachusetts add to the success of the Panama-Pacific international exposition, by that much will intellectual, commercial and industrial interests of Massachusetts benefit both immediately and in the future. Therefore your board advocates notable participation by the commonwealth and advises ample provision by the honorable general court for an unmistakably typical Massachusetts building of which our citizens and those with New England blood in their veins will be justly proud.

A state or a national building at an international exposition has several distinctly practical values. It should illustrate the history, thought and purpose of a community. We of Massachusetts believe that in these respects, if properly presented by us, no state has more if indeed so much cause for honest pride. There is available a vast abundance of material from which to select and present unmistakable evidences of what this commonwealth has been, is, and purposes to be.

A state building can be made of distinct advertising value. This the Germans, for example, understand very well; and though that nation is thrifty, the Deutsche house at an international exposition is always imposing and attracts attention — its purpose and applied uses are to advertise Germany and German industries reaching out for trade development in foreign markets.

The provision of a meeting and resting place where citizens of a state may feel at home, learn of their friends and keep in touch with home news is proper, and particularly desirable when an exposition is located at a distance such as San Francisco is from Massachusetts. Your board believes that the opening of the Panama canal and the great interest our people have in it and all things

connected with it, will attract an unusual number of visitors from this commonwealth to the exposition. The railroads invariably make special exposition rates of fare, but on this occasion these will be reduced even lower by steamship competition. It will be possible at an exceptionably moderate cost to see both canal and exposition.

Although the foregoing statements include references to the history, progress, ambitions, exploitation and pride of a state, and reasonable provision for the comfort of a material number of its citizens, a further and very important — perhaps the most important — value of a state building rests in its adaptability for use by the exhibiting producers of that state as a means for creating and cementing associations with exhibitors from other states or foreign countries. Its usefulness in this respect depends upon the commissioners or board of managers in charge; their understanding of their proper functions, powers and privileges. For example, assume your board discovers — and it is part of its duty to discover — desirable opportunities for Massachusetts trade development in Australia; the proper official formula being board or commission to and through board or commission, your board should and desires to invite the Australian commission and through it the Australian exhibitors to a function — state or by subscription — whereat to meet the Massachusetts exhibitors. Such meetings will be productive of results in proportion to the impression made by the Massachusetts house and the managers in charge. Always the official etiquette of an international exposition calls for a return function, a similar exchange of courtesies. Thus two opportunities result for Massachusetts exhibitors to meet and exchange information with the producers and traders of Australia. This, the true basis for successful business — knowledge of both people and markets — can and in our opinion should at San Francisco be made available to the manufacturers and merchants of Massachusetts. The opportunity will be universal, for a programme similar to that illustrated with Australia can be carried out with the commission from each and every important nation or state on earth, or such as may appear to your board to be of sufficient value to Massachusetts. Given that you equip your board of managers to discover and present desirable opportunities, we venture the prediction that our industries will benefit greatly, for, in general, all a Massachusetts man needs is opportunity — he will do the rest.

But apart from its future duties in San Francisco and at the exposition your board considers a present important duty is to inform the manufacturers of Massachusetts concerning the character, purpose and probable trade potentiality of the Panama-Pacific international exposition, to give information regarding cost of freight, transportation, installation, operation and living expenses sufficient to enable a producer to estimate the expense of exhibiting his wares and the probable productivity of such exhibit. Your board is informed that European nations maintain a force of exposition experts, trained to define with reasonable accuracy the commercial value to specific lines of endeavor probably possessed by an exposition proposal. Such information is there available to those interested. So far as we are aware, no such safeguarding of industrial

interests obtains in this country, but we believe that some such system is desirable, and so far as Massachusetts is concerned we propose to inaugurate it in our work for the Panama-Pacific exposition and, within the limits of our functions, to encourage exhibits which promise success and discourage those foredoomed to disappointment; therefore your board desires to establish — within reasonable lines — a bureau of information devoted particularly to the service of the citizens and interests of Massachusetts.

Your board conceives its duty is to proceed on business lines, to bring the best possible results at the least possible expense to the citizens and industries of the commonwealth. In the discharge of this duty we feel obliged to state that the occasion is so great and the opportunities so unprecedented as to demand ample provision of means wherewith to demonstrate the importance and maintain the dignity of Massachusetts.

Concerning the character, architecturally, of Massachusetts house we hesitate to express an opinion; but if it should appear feasible to reproduce in staff or other inexpensive material the 1795 end of our state house, with gilded dome illuminated at night, and Memorial Hall, we can conceive of no stronger appeal to the pride and sentiment of the people of Massachusetts or of Massachusetts blood, or to the interested attention of the world. Whatever the architecture of Massachusetts house may be — and this must largely be determined by the means placed at our disposal — your board hopes that as fully as possible it will exemplify the history, thought, art products and workmanship of the commonwealth. We expect to invite loans of articles of historic significance or appropriate art. We see no reason why, in almost its entirety, the materials used in the building should and may not be products of Massachusetts mine, forest, mills, shops and artisans, shipped by vessel from Boston through the Panama canal and delivered for assembling and erection directly to the exposition grounds.

Your board found that the exposition site embraces about 625 acres — almost exactly the area of the Chicago "World's Fair" — of which nearly one fourth are in the Presidio, a U. S. government reservation. The grounds are so situated that no taint of a land scheme can attach to the site, for it is bounded on the north by San Francisco bay, on the east by U. S. Fort Mason and a fully developed boulevard (Van Ness avenue), on the south by the finest residential portion of the city and on the west by the Presidio. The location is extremely picturesque and inviting. Relative to the financial, shopping and residential centres in each city, the exposition corresponds very closely in San Francisco to the Back Bay district in Boston. Transportation is by trolley cars or by ferries to the exposition docks. All of the national, state and foreign buildings are to be located on U. S. government property, a condition which impressed us most favorably because it insures all occupants of equitable treatment not only during the construction and open periods but also in the removal period after the close of the exposition. Those commissions which at a former exposition found their state buildings on private land, subject to immediate confiscation and hence devoid of salvage value, will appreciate the advantage of being located upon federal land at the Panama-Pacific international exposition.

Although your board was unable to visit San Francisco and select a site as early as we desired, nevertheless aided by the respect Californians have for Massachusetts we were able to obtain ample ground located most advantageously; in our opinion equal to any in the exposition. The transfer or lease of the site to your board was an impressive ceremonial in which the exposition forces, U. S. regulars and various societies participated before a large number of spectators. The proceedings showed dignity and evidenced sincere regard for Massachusetts. One of the orators for the exposition called attention to the fact that Massachusetts was the first state to help and send relief to the stricken people of San Francisco after the disaster of 1906. For what we did then a cordial recognition still exists.

Without exception the president, directors and executive officers of the Panama-Pacific international exposition were ready and anxious to fully inform your board on all plans and methods adopted or proposed. Whatever information we sought was promptly and intelligently supplied. The impression made on us was of a vast and complicated machine, its members selected because of special ability to accomplish certain tasks, all under the control of a broad-minded business management uninfluenced by either political or personal gain, but actuated by intense purpose to accomplish great results. We are confident that the determined energy displayed will insure a great success.

On one point the management lays great emphasis: it asserts that the main section of the exposition, the exhibit palaces, courts and esplanade — all of the construction work to be done by the exposition authorities — will be finished by June, 1914, over eight months before the official opening of the celebration on February 20, 1915. The indications are that this will be accomplished. The grounds are fenced and practically graded, a sand pump fill of 70 acres is complete, sewerage, water and electric systems are being installed, the administration building is finished and occupied, the palace of machinery is in process of erection and we are informed that the contract for another exhibit palace — horticulture — has been let. A systematic programme of starting new buildings at regular intervals of about two months is in force and the management are very insistent that the exposition shall set a practical example of forehandedness to all states and nations. Unpreparedness has been the serious fault of all former expositions — serious because unfair to participating states and nations with houses completed and in order at the appointed time; unfair to exhibitors and unfair to the public. The exposition management further urges that the early completion of buildings and installation of exhibits will make for economy because the costs of labor and materials invariably advance locally during the period immediately prior to the opening of an international exposition.

Your board was informed that at the Panama-Pacific international exposition all exhibits in competition for award will be installed according to classification in the exhibit palaces erected by the exposition at a cost of about twelve million dollars ($12,000,000) for construction and equipment. These palaces with their courts and approaches will occupy nearly four hundred acres. No charge is made for exhibit space and none for sites for state or national

buildings. In every detail the desire is evidenced to reduce to a minimum the cost of exhibiting or participating and to encourage the devotion of expense to the perfection of the articles exhibited. This policy will in the opinion of your board add much to the intrinsic value of the exposition as an arena wherein the best products of men and nature are installed in friendly competition.

Your board will be glad to confer with similar boards or commissions from the other New England states for the purpose of assisting in grouping the houses of the six states.

As the section — about 125 acres — of the exposition devoted to national, state and foreign buildings is all within the Presidio, a U. S. army post, your board is of the opinion that the very desirable project of a permanent "New England building," to be maintained in San Francisco for the purpose of exhibiting New England products to the trade tributary to the Pacific and Indian oceans, should be taken up when the boards or commissions from the several states can be brought together after each has had an opportunity to study the trade centre question in San Francisco. Then tentative plans may be evolved and discussed with the New England exhibitors.

Your board purposes preparing a pamphlet naming the countries tributary to the Pacific and Indian oceans and the population; value of annual imports and percentage of such imports drawn by each country from the United States. The Panama canal will bring all of them nearer, and on the average given New England produces a shorter freight haul through safer seas than from European ports. In approximate figures we are able to state now that the population total is 882,000,000 exclusive of our Pacific coast states, Canada and Alaska. The imports of these same countries in 1911 valued $2,590,000,000.

Selecting the largest purchasing countries the record is: —

British India imports, .	$450,000,000;	from United States	3.8%
Australia imports, . .	326,000,000;	from United States	11.6%
China imports, . .	314,000,000;	from United States	8.5%
Japan imports, . .	256,000,000;	from United States	15.8%
Straits Settlements imports,	226,000,000;	from United States	0.8%
Dutch East Indies imports,	139,000,000;	from United States	0.2%
Chile imports, . .	127,000,000;	from United States	12.4%
New Zealand imports, .	95,000,000;	from United States	8.6%
Ceylon imports, . .	54,000,000;	from United States	1.0%

While the compilation and circulation of such information is not directly a part of our exposition functions, we feel that the trade possibilities created by the Panama canal and the opportunities made available by the exposition to transform these possibilities into realities, should be brought to the attention of the merchants and manufacturers of Massachusetts.

PETER H. CORR, *Chairman.*
ALEXANDER SEDGWICK.
GEORGE F. MEAD.
HUYBERTIE L. P. HAMLIN.

[To the honorable senate and house of representatives, March 24, 1913.]

Herewith I return without my approval An Act to establish the salaries of the officers in attendance at the civil sessions of the municipal court in the city of Boston. The argument upon which the bill is based is that other court officers are receiving salaries of $1,700, and that the three court officers concerned in this bill, but who are now getting $1,500, should receive the same pay.

As I have said before, this is the basis upon which much legislation is now sought, and it leaves wholly out of account the general question of salary adjustments.

There are now pending in various stages before the legislature or its committees many bills seeking to increase salaries in offices in the Suffolk county and land courts. The bill in question is one of these. If they were all passed and approved, they would increase the annual expenditure of the taxpayers of Boston by at least $39,000.

I object to these measures only for the reason that they come before the legislature separately, and are not at any stage considered co-ordinately in the broad view of the taxpayers' interests. Each measure, in general, proceeds upon the personal petition of some interested party, and is argued from his point of view.

In 1892 a recess committee of the legislature said that: —

> The committee are of the opinion that a general scale of salaries should be adopted for all the district courts of the state, and such scale, when adopted, should not be changed upon individual application; but whenever any change is made it should be by a general revision based upon the changed conditions of population and business.

In 1903 a special legislative committee was appointed to investigate the adjustment of salaries in our judicial and other departments. This committee construed its instructions to mean that it must, if possible, "report some plan or system of compensation applicable in all the counties of the commonwealth, whereby the salaries of the officials mentioned may be so equitably adjusted as to relieve the general court from consideration of the numerous petitions for increase of pay which each year consumes much valuable time of the two houses and their committees."

As a result of the deliberations of the committee appointed in 1903, a system of compensation was established for the

clerks of the courts and other county offices under chapter 451 of the acts of 1904; for the salaries of registrars of deeds and assistant registrars under chapter 452; and for the justices, clerks and assistant clerks of certain police, district, and municipal courts under chapter 453. Similar salaries for the chief justices, associate justices, clerks, and assistant clerks of the municipal court of Boston were established under chapter 454; and salaries of the judges, registrars and assistant registrars of probate under chapter 455.

The provisions of chapter 451 were founded upon the ratios of population between the various counties. In chapter 453 a similar provision was made. In chapter 452 the average yearly receipts of the registry were taken as a basis in determining salaries. In chapter 455 the provision made was based mainly upon population.

If the adjustments fixed by these several statutes are now inadequate and not in keeping with the needs of the current year, they should be amended in accordance with the recommendations of the committee of 1903; that is, "not upon individual application but by a general revision based upon the changed conditions of populations and duties."

If the salaries in question were paid by the commonwealth, these various measures would have come before the board of economy and efficiency, which would have had the opportunity to compare them, secure evidence as to their relative merits, and report to the legislature with recommendations. But as these salaries will be paid by the city of Boston, such action by the board of economy and efficiency has not been taken, and as that board is fully occupied with the duties already imposed upon it, I do not advise referring the subject to that board. Instead, I urge the legislature, without prejudice to any of these pending measures, to refer the matter of salary adjustment to a committee duly qualified to co-ordinate and readjust them.

In taking this position with respect to these measures, I call the attention of the legislature to the accompanying letter from the Boston finance commission, earnestly protesting against the current method of determining increases of salaries.

BOSTON, March 24, 1913.

To His Excellency EUGENE N. FOSS, *Governor of Massachusetts.*

SIR: — The finance commission respectfully calls your excellency's attention to the subject of Suffolk county expenditures which are borne by the city of Boston. The commission in a

report to the mayor and city council, dated August 29, 1908, called attention to the increase in county expenditures and the resulting increase in the financial burdens borne by the city of Boston.

Thus, it appeared that the general expenses of the county, excluding payments for the penal institutions department, payments on the county debt, interest, sinking funds requirements, and certain other minor items, were $520,009.12 in the financial year 1892–93; that in 1907–08 they amounted to $1,023,833.95, an increase of ninety-six and eight tenths per cent, while the income from the departments making such expenditures had increased from $129,422.72 to $181,917.26, or only forty per cent and that the estimated increase of population and valuation in the same period was only thirty-two per cent and fifty-one per cent respectively. These figures are shown in detail in a table in the report of the commission of August 29, 1908. (Vol. I, p. 394.)

Since the year 1907–08 the general expenses of the county have increased fifteen and three tenths per cent, the amount expended in 1912–13 having reached a total of $1,181,263.09, and the estimates for the financial year 1913–14 are $1,266,650, an increase of seven and two tenths per cent over the preceding year. The estimates for 1913–14 have been cut down by the mayor and the appropriations are still pending in the city council, but there has been complaint on the part of the county officials that the reductions made by the mayor will leave an amount insufficient for the conduct of the county's business, and it is fair to assume that substantially the amounts requested by the county officers will be appropriated.

The total increase in general county expenses for the twenty years ending with the year 1912–13 was $677,439, an increase of one hundred and thirty-four per cent; and the increase for the twenty-one years ending with the year 1913–14 will be, upon the basis of the present estimates, $762,826, an increase of one hundred and fifty-one per cent.

Much of this increase was justified by the growth of county business, but a considerable part of it has been due to increases in salaries made by the legislature from time to time on the request either of the Suffolk county officers themselves, or of persons who represented them. When such increases are made by the legislature they leave no discretion to the city of Boston as to the amount of salaries paid, for the acts are mandatory and the city of Boston must appropriate the money necessary to meet the increases established by the legislature. The system under which salaries of subordinate county officers are increased by the legislature is open to serious criticism. The committees hear the requests of officers of particular county departments and, while considering each case upon its merits, have not sufficient opportunity, owing to lack of time, to consider the salaries of each department in their relation to all other departments of the county of Suffolk; and it often happens that the mere fact that one set of officers has received a salary increase under legislative acts creates a desire on the part of officers of other departments to obtain increases for themselves.

It seems to the finance commission that some means should be taken to consider the salaries of Suffolk county officers as a whole and to fix the amount with reference to the value of the services

actually performed by each set of officers and to the ability of the city of Boston to bear the financial burdens thus entailed. A number of bills providing for increases in several of the Suffolk county departments have been presented to the legislature this year, and one of them — senate bill No. 302 — has been passed by the legislature and is now before your excellency, awaiting official action. Without passing upon the merits of this particular bill, the commission recommends that it be vetoed, together with all bills of a similar nature which may be passed this year and which affect the finances of the city of Boston; and that your excellency consider the expediency of recommending the appointment of a commission to consider the whole subject of salaries for officers of Suffolk county, including those connected with the various courts, the registry of deeds, the registry of probate, and the office of the sheriff.

If your excellency gives this suggestion favorable consideration and such commission be established, its findings can be availed of by the legislature of 1914 to such effect that succeeding legislatures will, for a number of years at least, be relieved of the burden of considering a great variety of special bills affecting particular officers of Suffolk county.

Respectfully submitted,

THE FINANCE COMMISSION,
By JOHN A. SULLIVAN,
Chairman.

[To the honorable senate and house of representatives, March 24, 1913.]

Herewith I transmit a letter from the secretary of the commonwealth, accompanied by a certified copy of a recent joint resolution of the New Jersey legislature, creating a board of three commissioners to act with commissioners from the states of Maine, Vermont, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, Pennsylvania, Delaware and Maryland, for the purpose of advising amendments to the laws in these several states relative to motor vehicles, in order to co-ordinate the statutes and establish uniform legislation.

I have been advised, by the chairman of the highway commission, that the members of that commission met several years ago with the commissioners of the other New England states for the purpose of adopting a uniform automobile law and that this law has been adopted in Massachusetts. Therefore, for the purpose of complying with the request of the New Jersey legislature, I suggest that the legislature of Massachusetts authorize our highway commissioners to meet and co-operate with the special commissioners who may be appointed by the other states hereinbefore mentioned and for the specific purposes set forth in the resolutions of the New Jersey legislature.

[To the honorable senate and house of representatives, March 24, 1913.]

Herewith I return without my approval An Act to provide that the officers in attendance on the East Boston district court shall wear uniforms, and furthermore authorizing the appropriation of one hundred dollars per annum for each such officer, for the purpose of purchasing uniforms.

At present it is not the custom for the officers of the district courts of the city of Boston, so far as can be learned, to be uniformed. I suggest that the matter be referred to a committee, to determine whether it is desirable to equip all our officers in these courts with uniforms; and if so, to draft legislation which will apply to all alike.

[To the honorable senate and house of representatives, March 26, 1913.]

I return herewith without my approval An Act relative to communication to the court of a former conviction of a defendant in police, district and municipal courts.

I do this reluctantly, being in sympathy with the main purpose of the bill. The question of the guilt or innocence of a defendant is one of fact, to be decided upon evidence. To introduce the record of previous convictions during the trial will almost inevitably affect the mind of the judge, and ordinarily should not be permitted.

But under one of our statutes, in cases of drunkenness, the court is authorized to release an arrested person without arraignment. The question whether he shall or shall not be so released is decided mainly upon his record, which is furnished by the probation officer.

This provision is an excellent one, and is used in many thousands of cases every year, to great advantage. If the probation officer is forbidden to produce a record, the use of this humane statute must be greatly diminished, for the principal source of information for the court will be cut off.

The law would also encourage a defendant to testify falsely in his own behalf. The value of his testimony depends upon his standing. If he knows that the probation officer cannot testify to his record, no matter how bad, to impeach his testimony, a powerful restraint against misstatements is removed. If there is a record, the court should know it, that it may properly estimate the value of his testimony.

This, too, may happen: A police officer who is allowed to testify in impeachment of a defendant's testimony, has his record, but may not be able to identify the defendant as the one to whom it belongs. The probation officer can do so,

and is the only person who can, but under this bill he would be prohibited from testifying. This seems to be carrying the protection of the accused beyond reasonable limits.

If this bill shall not be passed, I shall request your consideration of a bill to accomplish the main purposes of this, but permitting a probation officer to testify like any other person in impeachment of the character of a witness, and also permitting the production of a record by a probation officer, on the question of releasing without arraignment a person arrested for drunkenness.

I have received an earnest protest against this measure in its present form from the chief justice of the superior court of the commonwealth, together with suggestions for an alternative measure which would undoubtedly remove the reasons for which I am impelled to veto it.

[To the honorable senate and house of representatives, March 26, 1913.]

Having laid before the general court the reasons which have impelled me to veto house bill No. 908, relative to the communication to the court of a former conviction of a defendant in police, district and municipal courts, I now submit herewith the draft of a bill to which I urge the attention of the legislature as a substitute for the prior measure.

The proposed bill prohibits probation officers from informing the court as to previous convictions of a defendant prior to the pronouncement of sentence, except that they may testify if necessary to impeach the testimony already given by the defendant, and providing further that probation officers may communicate to the judge, in case of a prisoner arrested for drunkenness, the record of previous convictions within the preceding year.

I urge this new measure as a substitute for house bill No. 908, in order to meet the serious objections which have been raised against that measure by chief justice Aiken of the superior court of the commonwealth and by chief justice Bolster of the municipal court of Boston; and in the effort to co-operate with the general court in securing legislation which will deal justly not only with the prisoner but with our judicial system, upholding equally the rights of the defendant and the course of justice in our courts.

[To the honorable senate and house of representatives, March 27, 1913.]

Herewith I transmit the recommendations of the free public library commission in respect to library work for foreigners.

It appears to be of the utmost importance that we should take steps toward the education of our immigrant population in order that they may understand the ideals and conditions of American life. The assimilation of our foreign population cannot proceed effectively unless they are brought into sympathy with, and given an understanding of, the aims and purposes of our democracy.

There have been many illustrations of the dangers which confront us through an increasing alien population that is out of harmony with our society and that follows blindly the lead of ignorant and vicious agitators. For the protection of society, and particularly for the protection of our laboring population, including the foreigners themselves, we must not omit any reasonable measure for the proper education and training of the foreigner who makes his home in Massachusetts.

I need not dwell upon the obvious gravity of the situation, nor do I consider the present measure in itself sufficient to meet all the requirements of the situation; but I earnestly request of the legislature that it accord to the free public library the very moderate extension which it now seeks.

BOARD OF FREE PUBLIC LIBRARY COMMISSIONERS,
STATE HOUSE, BOSTON, MASS., March 25, 1913.

His Excellency EUGENE N. FOSS, *Governor of the Commonwealth, State House, Boston, Mass.*

DEAR MR. FOSS: — I beg to submit herewith recommendations from the free public library commission of Massachusetts in reference to library work with foreigners. Accompanying the recommendations is a draft of "An Act to provide for the appointment of a foreign agent or secretary by the board of free public library commissioners, and for expenses connected therewith."

The opportunity to extend the usefulness of the commission in this direction is so apparent that we trust you may see your way to recommending to the legislature that a field secretary, with appropriate expenses, be authorized.

Respectfully yours,

CHARLES F. D. BELDEN,
Chairman.

Since last fall the free public library commission has been interested in aiding libraries in work with foreigners, both by providing books and by organized efforts to introduce the library to the foreign speaking population. Under authority of law the activities of the commission in giving direct aid is limited especially to those towns whose valuation is under $600,000. The efforts so far made

by the commission relating to library work with foreigners have been received with so much enthusiasm, and so many requests have come from the larger towns and cities, that the commission feels that it should receive authority and means whereby immediate attention can be given to this important work in all sections of the commonwealth.

The free public library commission, therefore, recommends the employment of a special field agent or secretary who can study the problems involved, select the books, co-operate with existing associations, and visit the local foreign societies in different towns and interest the librarians, trustees, teachers, and others in the furtherance of their activities with the foreign population.

Libraries are recognized as wholly non-political and non-sectarian, and therefore have a special opportunity to welcome newcomers to this country and interest them in all that pertains to good citizenship.

Provision should also be made for occasional assistance from competent representatives of the non-English speaking races in different localities for lectures, addresses, etc., and for other incidental expenses.

CHARLES F. D. BELDEN,
Chairman.

[To the honorable senate and house of representatives, April 3, 1913.]

I deem it my duty to call your attention to a course of events which is of great importance to the people of the commonwealth, and to urge your co-operation in bringing about the public action which the situation demands.

THE RECENT POLITICAL REVOLUTION ORIGINATED IN MASSACHUSETTS.

Three years ago there was inaugurated in this commonwealth a political revolution which spread rapidly throughout the nation and was consummated the fourth day of March in a complete change of the national government. Each step in this movement was decisive, and the impelling motives and forces behind it were irresistible.

The first manifestation of the change in popular opinion was the election on the twenty-second day of March, 1910, in the fourteenth Massachusetts congressional district. In this great manufacturing centre, a traditional republican majority of 15,000 was turned into a democratic majority of 6,000, an overturn of 21,000 in a total vote of 24,500. In the state election in 1910, the democratic candidate for governor turned the Taft majority of 110,000 into a democratic majority of 36,000, a change of 146,000 in a total

vote of a little over 400,000. In the state election of 1911, the only state election held in a pivotal northern state, the democratic candidate for governor overcame the massed forces of the whole national republican party. In these three elections this candidate was the only democrat elected. In the national election of 1912, the same democratic candidate received a plurality of almost 50,000, was elected for the third time a democratic governor of republican Massachusetts, and led the national ticket by 30,000 votes.

A NON-PARTISAN STRUGGLE FOR AN ECONOMIC PRINCIPLE.

The reason for these four successes was that the candidate who attained them individualized the precise issue upon which the revolution turned.

The conditions which caused this movement still exist. No statute has been passed in response to it and so far as the public is informed none has been framed. But legislators elected with a mandate to make such response are about to meet. It is the highest interest of the American people that the meaning of this revolution be not misconceived, that its purposes be not thwarted, and that its objects be promptly and definitely realized in law.

The movement originated in Massachusetts. The people of this commonwealth were the first, as they have so often been, to sense the dangers confronting them and the whole country. These dangers were more apparent to those who had the needs of Massachusetts in mind but the quick recognition by the rest of the country of the justice of the revolt of Massachusetts against existing conditions showed that the arguments of the leaders in the movement applied with almost equal force to the entire country.

The movement was in no sense political. The apparent reversal of political opinion in Massachusetts is shown by analysis to amount to a non-partisan demand for a specific economic policy, which, heretofore, no political party has espoused. This Massachusetts doctrine appealed to the entire country. The legislature of Massachusetts may with propriety, and having in mind its duty to the people, it should appeal to the congress of the United States to apply to existing economic conditions the economic policy which the people have so emphatically demanded and endorsed.

THE DEMOCRATIC PARTY SHOULD APPLY THIS PRINCIPLE.

The concrete political expression of the popular demand appears in the election of a democratic president and a democratic congress; but the two platforms which endorsed the principle of protection received, in the votes of the candidates who stood upon them, a greater endorsement by the American people at the last election than the platform which repudiated the principle of a protective tariff.

A DEMAND FOR THE MASSACHUSETTS PRINCIPLE OF TARIFF REDUCTION.

The popular movement is a non-partisan demand for a revision of the tariff. It is to be expected that the president will outline a policy in his forthcoming message to congress. Up to the present the only indication of the democratic attitude is to be found in the bills prepared by the last special session. These measures were not satisfactory from the point of view of those who desire to see the tariff question settled upon the broadest basis of public interest. It is to be hoped that the president's message will outline a policy that will lead to such a settlement. He has invited the co-operation of all in his work. It seems fitting that we in Massachusetts, who have so much at stake in the proper settlement of the tariff question and who have had so important a part in the struggle which led to his election, should contribute an expression of what we have contended for as the true method of tariff-adjustment.

The policy demanded by the American people during the past three years was a reduction of the tariff for the benefit of all the people. No considerable part of the voters were willing to support the doctrine of free trade advocated in the democratic platform or the policy of deliberative and postponed reduction promised by the two wings of the republican party. But the great body of the people, without reference to political allegiance, desired the immediate adoption of a policy of tariff reduction which should benefit American industry and American trade, advance American production of every kind, and relieve the people from unjust tariff burdens. It was a non-partisan demand for economic reform. It was a demand for the policy which constituted the appeal for the revolution at its first beginnings in Massa-

chusetts, — the Massachusetts policy of constructive tariff reduction.

The Massachusetts plan of constructive tariff reduction was formulated in 1902 by the candidate who appealed to the people upon it four times with such marked success. He was then a republican candidate for congress in open revolt against the tariff policy of his party. His unremitting agitation, continued for eight years, had brought him into the democratic party. He secured the adoption by that party in Massachusetts of the tariff policy which he had advocated, made that policy the slogan upon which four democratic victories, the first for many years, were won, and showed it thus to be the motive of the political revolution just consummated. Carrying the burden of the national battle unaided in the state election of 1911, he formulated the issue concisely against the republican party and established by his victory the basis of democratic success. The issue was stated in the Massachusetts platform of 1911: —

> The Payne-Aldrich law should at once be revised by eliminating the protection which promotes monopoly, produces private profit instead of public revenue, and obstructs free domestic competition and the sale of American products in foreign markets.
>
> We declare for removal of all duties on foodstuffs which enter into general popular consumption and on the raw materials of our manufactures.
>
> We favor a broad program of reciprocal trade agreements with other nations, that our commerce may be developed and new markets opened to the products of American industry.

THE TRUE PRINCIPLE LIKELY TO BE MISCONCEIVED.

The democratic candidate for governor had summed this platform up during his ten years' conflict inside the republican party and outside, in these words, "elimination of superfluous protection, free raw materials, no free trade but reciprocity and fair trade." Nothing could be clearer than the endorsement of that policy by the American people. But almost equally clear is the danger that precisely the reverse of this platform in each of its three parts will be put into effect in tariff legislation by the special session of congress about to meet.

In all tariff legislation three purposes must be kept in mind, the raising of revenue for the government, the encouragement of domestic production, and the maintenance of the conditions necessary for private profit to domestic producers. No one

of these purposes should be favored to the exclusion of the others. The combined consideration of the three purposes tends to the advancement of each. Yet the record of tariff legislation and of proposals for tariff legislation offers nothing but illustration of misconception of these principles.

THE REPUBLICAN GUARANTEE AND THE DEMOCRATIC DISREGARD OF PROFIT BOTH BAD.

Both parties offend in this respect. The democratic party asserts its principle of tariff revision so broadly that the defeat of its purposes may be forecasted in advance. The republican party, in its national platform of 1908, set up a principle of tariff-making so erroneous that to overturn it was the purpose of the recent political revolution. To meet this principle squarely is the duty of the democratic congress. The republican platform declared for "such duties as will equalize the cost of production at home and abroad *together with a reasonable profit to American industries.*" Such a tariff attempts to guarantee profits for some. The obvious result is to make it difficult for producers generally to earn them, to curtail production, to discourage importation, and to restrict the raising of revenue by tariff taxation. "*The democratic policy*", announced by one of the leaders, March 10, 1912, "*clearly excludes the idea of protecting manufacturers' profits.*" This policy is more pernicious than that of the republican party. It excludes not only the idea of guaranteeing profits but all consideration of the conditions under which manufacturers may earn them. It not only defeats the purposes of encouraging domestic production and assuring private profit to domestic producers, but also, through the curtailment of importations of the materials of manufacture, defeats the very purpose itself of raising revenue.

PROTECTIVE REDUCTION THE TRUE PRINCIPLE.

A tariff for revenue would seem to require increases of duties as well as decreases and the democratic house of representatives proposed certain increases for revenue purposes at the last session. But an increase in the rate of a duty may defeat the purpose of protection and the purpose of revenue at the same time. If the increase is in the duty on raw materials of manufacture, the industry may be wiped out and both the profits and the public revenue ter-

minated. Decreases in duties on raw materials may result, by reason of the effect in increasing the actual protection upon the manufactured product, in unjust enrichment at the expense of the public revenue. The duties on sugar, for example, are the principal source of tariff revenue, yet these duties are, by reason of the application of the principle of compensation, also a chief source of unjust private enrichment from the tariff at the expense both of the revenue and of all the people. The failure to consider the protective effect of a rate is to throw overboard the chart and compass of tariff making and to drift upon the sea of fallacy, log-rolling, private tariff privilege, and corruption. If the compass is retained, and read aright, it will point steadily to the pole star of tariff reduction. To increase duties is never necessary for revenue purposes. That object may always be attained by well-directed reductions when some duty remains after the superfluous part has been eliminated. The determination of such a duty should be the object of all tariff making and such a duty should be the main source of tariff revenue. It provides an automatic balance between the producers and the people and applies a constant stimulus to American manufacturers not to be content with the home market but to compete with the foreigner in foreign markets. It is true that the determination of the exact rate of duty is not easy but it is not less evident that the true course which leads to that determination is clear. It lies not in the path of decreases and increases that hurt American industry but in decreases which help.

REDUCTION AND PROTECTION NOT INCONSISTENT.

Our recent tariff history is full of illustrations of decreases in duties which help American producers. An emphatic demand for resolute tariff reduction is in no way hostile to American industry. A downward revision of the tariff has been going on for forty years. It is untrue to say that American industry has been held in check by protective duties. The truth is that these duties have resulted in the phenomenal growth of American industry during that period. The evil lies in the failure to continue the process of reduction, to apply it generally, to reduce decisively, and to establish as a rule of law the proper method of such reduction.

This method is indicated by experience in its application. In steel rails, for instance, the tariff was originally made in

1867 at forty-five per cent ad valorem, when American railroads were paying British manufacturers $145 to $166 per ton. In 1871 the tariff was reduced to $28 per ton, then to $25.20, and finally advanced in 1875 to $28 again. This was in force until 1883, when a reduction to $17 was made. In 1890 another reduction was made to $13.44, and under this duty the country produced over 15,000,000 tons in a year, and the price of rails fell here below that in England. In 1894 the duty was reduced to $7.84 per ton and in 1909 to $3.92. At the end of this period of progressive, protective reduction, there had been established a great industry in this country and American railroads were able to buy domestic rails below the British price and at a lower price than iron rails had ever been purchased for in either country.

On pig iron, during the civil war, the duty was $9 per ton. In 1870 it was reduced to $7 per ton, and in 1873 to $6.30. In 1883 it was $6.72 per ton, and this was the rate until the democrats revised it downward in 1894 under the Wilson bill to $4. In 1909 the rate was reduced by a republican congress to $2.50.

In the Payne-Aldrich tariff, the rate on iron ore was reduced from 40 cents a ton to 15 cents a ton and the rate on iron in pigs, wrought and cast, was reduced from $4 a ton to $1 a ton, yet the value of exports of iron and steel manufactures, the rate being unchanged upon the finished product, increased from $144,951,357 in 1909 to $179,133,186 in 1910, and to $230,725,252 in 1911.

In the Payne-Aldrich tariff, the tax of fifteen per cent was taken off hides and they were admitted free, the rate on boots and shoes was reduced from twenty-five per cent to ten per cent, the rate on saddlery was reduced from thirty-five per cent to twenty per cent, and the rates on other manufactures of leather were much reduced. Yet under the reduced rates, the value of our exports of leather manufactures increased from $42,974,795 in 1909 to $52,646,755 in 1910, and $53,673,056 in 1911.

The rate on agricultural implements was reduced from twenty per cent to fifteen per cent, yet the value of exports of agricultural implements increased from $25,694,184 in 1909 to $28,124,033 in 1910, and to $35,973,398 in 1911.

THE SILK INDUSTRY BUILT UP ON FREE RAW MATERIALS.

The most striking proof, however, of our ability to manufacture in competition with the rest of the world is afforded

by the history of the silk industry in the United States. The raw material of silk manufactures, unlike the raw material of manufactures of cotton and of wool, is not produced in the United States. Nor were the manufactures of silk regarded as necessaries of life, as manufactures of cotton and of wool undoubtedly are, and silk goods were considered peculiarly a European product.

MARVELOUS GROWTH FROM SMALL BEGINNINGS.

In 1869 there were only 139 silk establishments in the United States with a total capital of $2,926,980 and a value of products of only $6,607,771. In 1870 our output of silk was worth twelve million dollars; in 1880 it was forty-one millions. In 1883 the duty on raw silk was abolished. In 1890 our output of manufactured silk was worth eighty-seven millions; in 1900, — panic and protracted hard times having intervened — it was worth one hundred and seven millions; and in 1910, it was worth one hundred and ninety-six millions. In the decade between 1900 and 1910, manufactures of silk in the United States increased more than eighty-seven per cent, — or about four times as fast as population.

COMMAND OF THE RAW SILK SUPPLY LED TO CONTROL OF THE DOMESTIC MARKET.

While in the year 1868–1869, the importations of raw materials of silk manufactures into the United States aggregated only 726,695 pounds, with an invoice value of $3,312,726, the importations for the year 1909–1910 were 20,363,377 pounds — or twenty-eight times the weight of forty-one years before — and of the invoice value of $65,424,784 — or about twenty times that of the earlier period. The American consumption of raw silk is now far in excess of that of any other country, and imports have advanced in the last ten years by over eighty-three per cent, while the increase in imports of manufactured silk goods was only seventeen per cent.

WE MANUFACTURE MORE SILK AND AT LESS COST THAN ANY OTHER CIVILIZED NATION.

In the decade between 1899 and 1909, American manufactures of silk dress goods, the foreigner's specialty, doubled both in quantity and in value, and, with free raw silk, despite

the duties on other raw materials of silk manufacture and the general protective cost level, silk was manufactured in the United States at a less cost than in Europe. I believe that the same would be true of every other product of American industry under like conditions.

THE DEMOCRATIC THREAT OF DESTRUCTIVE UPWARD REVISION.

But this situation does not suit the democratic party. Their first desire is to apply at any cost the theory of a "tariff for revenue only." The thing which made possible the phenomenal growth of the silk industry was the removal of the duty long imposed on imports of raw silk. To grow silk in this country has been found impossible. The duty had cut off revenue, the growth of the industry, wages and the creation of a supply within the reach of the people of an article of great use. The practice of taking off the duty on raw materials wherever proper has been responsible since the civil war for the guarantee to the silk industry of the advantage upon which its growth depended. The democratic majority of the house of representatives, however, in the recent session proposed to take up the revision of the silk schedule and the leaders announced that a twenty-five per cent duty on raw silk was to be imposed. The annihilation of the two hundred million dollar silk industry that would surely follow this anti-protection, "for revenue only," *revision upward* provision would be a high price for the American people to pay for an experiment in tariff making.

The average citizen would prefer the protective rates of the McKinley tariff, which transferred the tin plate industry to the United States and in a few years made us large exporters to the so-called reductions which annihilate domestic industries and place the United States at the mercy of the foreign producer for its supply.

It will be conceded that a slow reduction of the tariff which reduces and stays reduced is better than a quick reduction which does not reduce at all. Reduction that benefits the country and sticks is based upon the same theory of the general welfare as protection. The two go naturally together.

The systematic policy of tariff reduction was continued in the Payne-Aldrich tariff law.

On the basis of actual imports of merchandise during the thirty-four months that law had been in operation down

to May 31, 1912, it appears that the amount of goods imported without paying duty was a considerably larger percentage of the total of importations than under the Wilson law or the Dingley law and that the average amount of duties paid per dollar both of dutiable imports and of all imports was very considerably lower.

THE TRUE POLICY IS TARIFF FOR PUBLIC REVENUE.

The Payne-Aldrich law produces ample revenue for the government with a larger free list than the Wilson law, which did not produce sufficient revenue, and with lower ad valorem rates both as to dutiable goods and as to all imports.

Under the Dingley law the average per cent of the imports that came in free was forty-four and three tenths per cent in value of the total importations; the average per cent in value of the imports which have come in free under the Payne law is fifty-one and two tenths per cent of the total importations. The reduction in duties from the Dingley law to the Payne law was ten per cent, and considering reductions on all imports, it amounted to twenty-one per cent.

THE MAXIMUM AND MINIMUM PLAN TO REDUCE THE TARIFF FOR AMERICAN ADVANTAGE.

The Payne-Aldrich law contained provisions for the imposition of minimum rates instead of maximum in the discretion of the president in return for equivalent consideration from other countries.

ENCOURAGEMENT TO AMERICAN INDUSTRY BY REDUCTION.

Whatever reasons may have existed for high protection in the past, none of them is valid to-day; the very considerations that brought about the imposition of high rates now operate in favor of reductions. The mistake of the republicans consisted in their failure to apply correct principles consistently and for the public benefit. The democrats will perpetrate a worse error if they abandon these principles.

In recent years the republicans have taken "encouragement to domestic production" to refer merely to the establishment of a greater aggregate price value for American products and not to the creation of more real wealth and

welfare for the country. The denial to industry, for example, of free access to raw materials, and, to workers, of free access to necessaries of life, subtracts just so much from the working capital of the country, diminishes the annual product by a much greater amount, and acts not only as a discouragement to production but as an actual blight.

Even the farmer, who relies largely upon natural forces for his product and is subjected to the competition of the world market, and is, thus, actually concerned very little about the tariff on what he raises, pays much more in duties on the things he uses than could possibly be figured as his benefit from protection, — and this benefit, besides, he does not get. He, too, is discouraged. The discouragement arises from the artificial increase in the cost of production caused by the misapplication of the protective principle. With the demand in the home market for all the food products of the country, the farmer is relieved of his concern for protection to his product.

When we compare, therefore, the cost of production at home with the cost of production abroad, for the purpose of ascertaining what rates will equalize the cost, we should figure the cost at home as what it would be if domestic producers had free access to raw materials for their industries and untaxed necessaries of life for their workers. And this will not work unfavorably upon the domestic producers, if any, of the raw materials. With the cost of production at home lessened in this way there would be a decrease in the necessary compensation in the tariff rate and a diminished burden to be distributed among the different classes of producers, including domestic purveyors of raw materials and necessaries of life.

A tariff framed upon this basis would not create a constant necessity of increased protection but would open the door to all those influences which make for lower cost of production, such, for example, as increased consumption, wider and steadier markets, enlarged scale of production, and capacity use of men and machinery, and would tend to make protection unnecessary.

"Encouragement to domestic production," therefore, in the same way as a "tariff for revenue only," must be looked upon, under conditions existing at the end of a sixty-year test of high tariff rates, as an object to be attained only by the elimination of superfluous protection and a constant reduction of the tariff. With raw materials free and neces-

saries of life untaxed, there can be no question that the United States can produce manufactured articles which now enjoy protection at as low a cost as any other nation and protection will be to a greater extent superfluous and subject to be eliminated without damage to American industry.

NO REDUCTION WITHOUT A QUID PRO QUO.

But it does not necessarily follow that because protection is superfluous it should be eliminated. As the imposition of duties can be justified only on the ground of benefit to American industry, so is such benefit the only justification for the removal of a duty. A tariff tax is the price of admission to a market. In many cases the foreigner pays the price. If this condition exists without harm to American industry or the public welfare, it should not be disturbed except for a benefit to American industry and the American people. A market of one hundred million of the greatest consumers on earth is a possession of tremendous value. It is a possession of the American people. Every duty removed is a door opened to foreigners to enter upon this market. Every duty removed by the democratic congress without benefit or consideration to the American people will be a free gift to our foreign competitors of a valuable thing belonging to the American people.

NEITHER RETALIATION NOR FREE TRADE BUT FAIR TRADE.

The day for duties merely for protection to American industry has almost passed. But the time for free trade has not come. The régime of high protection established the policy of international retaliation but it merely postponed and made more desirable the day of fair trade. The policy of free trade would make impossible the establishment of fair trade and would not only throw away but would in addition forever rob of its highest use the country's most valuable possession — its market of one hundred million consumers.

RECIPROCITY THE TRUE BASIS OF TARIFF-LEGISLATION.

The advocates of free trade usually pride themselves upon being supporters of international peace, and of economic stability, and social justice. As a matter of fact, they are the victims of an illusion. The greatest possible harm to international peace would result from an Amercian policy

of free trade. We should, it is true, be ready to open up our markets to foreign producers whenever it can be done without injury to our own people and we should at all times aim at the greatest volume of international trade which can be carried on with the greatest profit to the United States. But if it is true that we cannot sell unless we buy, so it is true that we cannot buy unless others buy from us. If we have the greatest market on earth, it is equally true that our greatest need is foreign markets. While formerly our exports were made up largely of food products, these have been relegated to a subordinate rank, and, according to present tendencies, before an interval of many years, we will be importers rather than exporters. The stimulation of manufactures has become necessary by reason of our decreased ability to export food owing to the demand for nearly all the product in the home market, and without a market such stimulation would be useless. If we are to continue to meet our foreign obligations, pay for foodstuffs and raw materials imported, and avoid actual national bankruptcy, an expanded market for American manufactures is absolutely imperative. In the year 1898, for the first time, we sent abroad a larger value of articles from our factories than we imported, and the value of manufactured articles, partly or entirely completed, reached a total of forty-five and seven hundredths per cent of our total exports in the year 1911, while exports of all classes of foodstuffs had fallen to nineteen and thirteen hundredths per cent. While our food exports attained a maximum volume in 1898, they had reached their maximum proportion of the total of productions in 1880.

Our need of foreign markets for our manufactures is so great that to give away any share of our market without a *quid pro quo* in return to the people of the United States would be little short of treasonable. The true policy of tariff reduction should have for its primary purposes to open to American manufactures the markets of the world. In other words, and in the last analysis, the beginning and ending of all tariff legislation in the United States should be the policy of commercial reciprocity.

SCIENTIFIC REVISION, A TARIFF COMMISSION, AND RECIPROCITY.

For the steady administration of any tariff, a permanent board of non-political experts, working in co-operation with

our diplomatic service, our consular service, and the treasury department, can be of great usefulness to the country. The object of all scientific tariff-making is to adjust rates to changing conditions in the markets of the world. The true proposal for a tariff commission and for a scientific tariff is for the application of the policy of general reciprocity.

RECIPROCITY IS INTERNATIONAL CO-OPERATION.

Commercial reciprocity is an exchange of markets, a mutual gift of trade opportunities, the conferring of reciprocal privileges as regards customs or charges on imports and in other respects, the removal, by means of mutual agreements, of provisions for the protection of the domestic markets of two countries which constitute obstacles to trade between them; it is neither free trade nor commercial retaliation, but fair trade through a complement, correction, and counterbalance of the policy of protection, evidenced not by a surtax on goods coming from countries which discriminate against one another but by the substitution of minimum for maximum rates between countries which favor one another; it is a means of taking the tariff out of politics, a permanent basis for the automatic adjustment of trade relations to commercial and industrial needs, and for scientific tariff-making upon that basis, a remedy for commercial depression caused by tariff changes, a shock absorber on the road of tariff legislation, a stimulus to domestic production through the creation of markets for domestic products, a provision for the mutual exchange of commodities essential to the continued growth of export trade, for the taking from customer nations of such products as may be used without harm to domestic producers, in order that they may take the excess of domestic production above domestic consumption; it is the recognition and turning to use not only of domestic industrial and economic strength but that of other nations as well, the contemplation of the need the nations have for one another's resources, the substitution of commercial friendship and co-operation for the suspicion, distrust, and the industrial, political, and military reprisals which lead up to, constitute, and follow commercial war, and the broadest possible foundation of mutual self-interest between the nations for the superstructure of international peace.

RECIPROCITY THE BASIS OF NATIONAL WELFARE.

Reciprocity, in short, gets markets. The one thing without which industry cannot go on is the market. The one great requisite without which American prosperity cannot continue is the market for the products of American industry. We have built up through the artificial stimulus of protection the most wonderful productive forces ever combined in one nation. But this structure can escape ruin only with the aid of the natural stimulus of commercial reciprocity. Although our most inspired statesmen have urged this policy as just the one thing necessary for our economic welfare, it is just the thing successive administrations have failed to apply. Jefferson, Blaine, and McKinley, patron saints of two great opposing parties and advocates of two conflicting theories of tariff taxation, are the leaders among the many great American statesmen, who, though diametrically opposed to one another on almost every other economic policy, are agreed in their insistence upon the absolute necessity to the welfare of the United States of the policy of international reciprocity.

JEFFERSON THE FATHER OF RECIPROCITY.

During the first administration of Washington, in 1791, congress desired to do something for the development of the commerce and navigation of the United States, but felt itself lacking the necessary information on the subject. The house of representatives passed a resolution requesting the secretary of state to report to congress on the nature and extent of the privileges and restrictions of the commercial intercourse of the United States with foreign nations, and the measures which he should think proper to be adopted, for the improvement of the commerce and navigation of the same.

Mr. Jefferson's report, submitted after two years of inquiry into the facts, presents the conditions of our infant commerce of that day. Small as it was, the foreign restrictions upon the trade, and upon our vessels engaged in it, were extremely various and vexatious, especially in all that related to commerce with the colonies of European powers. After reciting them he asks the question, "In what way may they best be removed, modified, or counteracted?" He answers the question as follows: —

As to commerce, two methods occur: First, by friendly arrangements with the several nations with whom these restrictions exist; or second, by the separate act of our own legislature for countervailing their efforts. There can be no doubt but that, of these two, friendly arrangement is the most eligible.

Some nations, not yet ripe for free commerce, in all its extent, might still be willing to modify their restrictions and regulations for us in proportion to the advantages which an intercourse with us might offer. Particularly, they may concur with us in reciprocating the duties to be levied on each side, or in compensating any excess of duty by equivalent advantages of another nature.

Here was foreshadowed exactly the reciprocity of to-day. He proceeds as follows: —

But should any nation, contrary to our wishes, suppose it may better find its advantage by continuing its system of prohibitions, duties, and regulations, it behooves us to protect our citizens, their commerce and navigation, by counter prohibitions, duties, and regulations also. *Free commerce and navigation are not to be given in exchange for restrictions and vexations; nor are they likely to produce a relaxation of them.*

He prefaces his recommendations with this expression: —

The following principles, being founded in reciprocity, appear perfectly just, and to offer no cause of complaint to any nation.

He admits the inconvenience of a system of discriminating duties, but supports it as necessary to avoid greater evils; and comes to the following conclusion:

Still it must be repeated that friendly arrangements are preferable with all who will come into them; and that we should carry into such arrangements all the liberality and spirit of accommodation which the nature of the case will admit.

Here is absolute proof that Thomas Jefferson, at that early date, advocated reciprocity and recommended it as a ruling principle.

BLAINE THE PROPHET OF RECIPROCITY.

The great republican statesman, James G. Blaine, summed up his advocacy of this policy in the pithy phrase: "*Reciprocity is the highest form of protection.*"

MCKINLEY, PROTECTION'S HIGH-PRIEST, BASED PROTECTION ON RECIPROCITY.

What will go down in history as McKinley's farewell address contained these paragraphs: —

Only a broad and enlightened policy will keep what we have. No other policy will get more. In these times of marvelous business energy and gain we ought to be looking to the future, strengthening the weak places in our industrial and commercial systems, so that we may be ready for any storm or strain.

By sensible trade arrangements which will not interrupt our home production we shall extend the outlets for our increasing surplus. A system which provides a mutual exchange of commodities is manifestly essential to the continued healthful growth of our export trade. We must not repose in fancied security that we can forever sell everything and buy little or nothing. If such a thing were possible it would not be best for us or for those with whom we deal. We should take from our customers such of their products as we can use without harm to our industries and labor.

Reciprocity is the natural outgrowth of our wonderful industrial development under the domestic policy now firmly established. What we produce beyond our domestic consumption must have a vent abroad. The excess must be relieved through a foreign outlet and we should sell everything we can and buy wherever the buying will enlarge our sales and productions, and thereby make a greater demand for home labor.

The period of exclusiveness is past. The expansion of our trade and commerce is the pressing problem. Commercial wars are unprofitable. A policy of good will and friendly trade relations will prevent reprisals. Reciprocity treaties are in harmony with the spirit of the times; measures of retaliation are not. If perchance some of our tariffs are no longer needed for revenue or to encourage and protect our industries at home, *why should they not be employed to extend and promote our markets abroad?*

GENERAL RECIPROCITY THE KEY TO FOREIGN MARKETS AND PROSPERITY.

There is a way to get the markets required for the development of American industry and to keep the wheels of industry going at full speed. Reciprocity is the way — reciprocity as a settled and general policy, a permanent part of a reasonable protective system. And reciprocity is the way to permanent general prosperity.

The case for reciprocity is proved by actual experience. We had reciprocity with Canada between 1854 and 1865. From the day it went into effect and until the civil war broke out, our exports to Canada rapidly increased. Reci-

procity had been an unqualified success. The treaty was abrogated by us, not for commercial but for political reasons arising out of the civil war. We closed the door against Canada in 1865 and Canada refused to reopen it in 1911.

But reciprocity is not to be judged by our relations with Canada or any single country. Reciprocity is a policy for universal application.

THE RECENT CANADIAN TREATY NOT TRUE RECIPROCITY.

The case for general reciprocity should now be considered quite apart from Canadian experience. In fact the recent reciprocity treaty, which resulted in the opening of the American market to wood pulp without *quid pro quo* and put the American industry under free trade unconditionally and without reference to the acceptance of the treaty by Canada, is an illustration of what reciprocity is not and of what is not scientific tariff revision. Trade relations with only one country do not afford a basis for the consideration of international reciprocity. The great mistake in the Canadian treaty itself was that it was framed without reference to the general tariff system of the United States and without any consideration of the economic and political relations of either Canada or the United States with Great Britain.

THE TRADE COMMISSION TO CENTRAL AND SOUTH AMERICA.

There are other countries with which our trade is much more important than with Canada. The nearest to us are the republics of Central and South America. After much discussion, some investigation, and a little experiment, the opportunity for American products in Central and South America is still unseized. The commercial conditions existing among the countries of North America and South America are the same that existed in the United States before the adoption of the constitution. Alexander Hamilton, the father of protection, found it consistent with that doctrine, to remove all the restrictions upon commerce between the states. What followed justified his foresight. That other high-priest of protection, James G. Blaine, contemplated a policy of universal fair trade over both American continents, from Hudson's bay to Cape Horn. In 1881, President Arthur sent a trade commission to South and Central America to plan an American Zollverein or

"Customs Union". The results were mainly educational, save that the Hawaiian reciprocity treaty was negotiated, with results that became important and historic in annexation twelve years later.

THE PAN-AMERICAN CONGRESS AND THE MCKINLEY BILL.

The second national impulse toward general reciprocity began in 1889, when Blaine again became secretary of state. The momentous Pan-American congress was then convened at Washington. To the representatives of All-America, as well as to our own congress, Mr. Blaine submitted his plan for an American customs union. The result was a clause in the McKinley tariff bill, then pending, providing that "the president be authorized without further legislation to declare the ports of the United States free and open to all the products of any nation of the American hemisphere, whenever or so long as such nation shall admit," the flour, cornmeal, breadstuffs, and so forth, of the United States free of all taxes. The secretary urged congress to seize this opportunity to open the markets of forty million people to the products of American farmers. But Blaine's plan was killed by the senate under leaders acting for the wool-growers and their allies, the beneficiaries of the wool tariff, the notorious schedule K. Nevertheless, a modified form of the Blaine proposal did get into the McKinley tariff bill of 1890. It was great in its consequences though wrought in a grudging spirit. For the principle was admitted and reciprocity was established as a permanent part of the American protective system. Under the "reciprocity section" of the McKinley tariff of 1890 the president was authorized to withhold free entry of certain free-listed goods — raw sugar, molasses, coffee, tea, and hides — from any nation that should refuse to grant us a *quid pro quo*.

A LITTLE RECIPROCITY PROVED A POWERFUL LEAVEN.

Under this niggardly provision a dozen trade agreements were entered into. All these agreements with foreign countries were greatly to our advantage. Germany abolished its long standing prohibition against American hogs, and gave us the full benefit of its "conventional" tariff on all agricultural products. Austria-Hungary gave us the rates of "the most favored nation" on 2,000 separate items of American export.

But all these reciprocity arrangements under section three of the McKinley bill were brought summarily to an end on August 27, 1894, by the passage of the Wilson tariff bill, which annulled that section.

Meanwhile this second national effort at general reciprocity had abundantly justified itself. It fell in an era of unprecedented commercial depression. It lightened that depression by a marked stimulation of foreign trade. Thus, for example, our annual exports to Germany just before the beginning of this experiment amounted to ninety millions. In the midst of the four-year period of reciprocity they rose to one hundred and three millions; and immediately after the cancelling of the reciprocity agreement they fell to eighty-eight millions.

RESULTS UNDER THE DINGLEY TARIFF JUSTIFIED RECIPROCITY.

Our third national movement toward general reciprocity began in 1897. The Dingley tariff bill empowered the president, with the consent of the senate, to make a reciprocity treaty with any country. He was authorized to offer three inducements: (1) Reduction of the duty upon any article in the whole tariff list, to the extent of not more than twenty per cent; (2) Transfer to the free list of any article that was a natural product of the foreign country, but not of ours; (3) Guaranty that any article on the free list should be kept there. Secretary Hay negotiated and signed eleven advantageous treaties with foreign nations under this section four of the Dingley act. They were all pigeon holed and killed in the United States senate by the same senatorial powers of privilege that cut the heart out of the Blaine reciprocity plan.

But the Dingley bill contained another reciprocity section — section three. Under this section certain limited reciprocity agreements could be entered into, without the consent of the senate.

Nine trade agreements have been made under section three, and seven of them are still in operation. Secretary Hay made extraordinary bargains with France, Germany, Italy, and Portugal.

Germany, for instance, conceded to all imports from the United States the full and unqualified benefit of her "conventional" tariff — a specially low tariff created by Germany for her European neighbors.

Without injury to a single American industry, without eliciting a single murmur of complaint in this country, Secretary Hay secured from Germany a guaranty against discrimination in any article of our export trade. This agreement, so cheaply purchased, was of marked political advantage also. It established more amicable relations than had ever before existed between the German and American peoples.

The immediate effect was a decided increase in our exports to Germany from $155,800,000 in 1899 to $191,800,000 in 1901, and to $249,555,926 in 1910. Our imports from that country in 1910 were $168,805,137.

This reciprocity agreement with Germany was terminated on the 7th of February, 1910.

FURTHER SUCCESS UNDER PAYNE-ALDRICH MAXIMUM AND MINIMUM PROVISIONS.

The Payne-Aldrich tariff contained provisions for the imposition of minimum rates instead of maximum in the discretion of the president in return for equivalent consideration from other countries. The minimum rates have been generally granted. Under this policy, the exports of the United States increased from a value of $1,744,984,720 in the year ending June 30, 1910, to a value of $2,204,422,409 in the year ending June 30, 1912, and imports increased in the same period from $1,557,819,988 in 1910 to $1,653,264,934 in 1912, an increase in the total volume of international trade from $3,302,804,708 to $3,857,687,343, and an increase in the excess of exports over imports from $187,164,732 to $551,157,475 or a difference of $363,992,743 in two years. We have given reciprocity several brief trials and in every trial our foreign trade has increased. Our experience has been just sufficient to show that reciprocal trade agreements always find a response in stimulated foreign trade.

OUR FAILURE TO APPLY GENERAL RECIPROCITY TO FOREIGN TRADE DISGRACEFUL.

But we cannot congratulate ourselves upon our success in building up a foreign trade. As a matter of fact, considering the obvious possibilities, the record of the United States is one of disgraceful failure. Our exports, it is true, almost equal those of Great Britain, but our population is twice as great, and our area thirty times as great. Our

imports are about half those of Great Britain. Germany, with a population only two thirds as great and an area one eighteenth as great, almost equals us in exports and exceeds us by one third in imports. The volume of exports of the United States is, moreover, still made up largely of foodstuffs and crude materials for use in manufacture which our prosperity should require us to retain for our own use.

OUR NON-RECIPROCAL POLICY EXCLUDES AMERICAN MANUFACTURES FROM FOREIGN MARKETS.

The exports of Great Britain increased from $1,463,000,000 in 1904 to $2,094,467,000 in 1910, the latest year in which figures for comparison are available, or almost fifty per cent, and the imports from $1,051,000,000 to $3,300,738,000, or over three hundred per cent. The exports of Germany increased from $1,242,000,000 in 1904 to $1,778,969,000 in 1910, or more than forty-five per cent, and the imports from $937,000,000 to $2,126,322,000, or more than one hundred and twenty-five per cent. The exports of the United States increased from $1,117,000,000 in 1904 to $1,744,984,720 in 1910, an increase of fifty-six per cent and the imports increased from $731,000,000 to $1,557,819,998, or one hundred and nine per cent. Of the increase in the exports of the United States, however, twenty-five per cent was in exports to North America, and over twenty per cent was in agricultural products, which should be required at home by reason of expanding manufactures. Whereas a considerable part of the volume of exports from the United States is still made up of agricultural products, only about eleven per cent of the merchandise sold abroad by Germany can by the most liberal construction be classified as such. Great Britain, moreover, sends forth nothing of this class that cuts an appreciable figure. In 1904 the manufactures of Great Britain, our closest competitor, constituted eighty-two per cent of her sales to foreign countries, while farm products, including wool and hides, accounted for only three per cent of the remainder. Almost one dollar in every three which came to Great Britain from her foreign business was paid for textiles, while the United States received for these, out of every dollar, only two cents. Some sixty-five per cent of our total exports in 1904 are represented by the six items, cotton, provisions, breadstuffs, mineral oils, lumber, copper, and animals. Raw cotton alone represented twenty-five per cent.

FIFTY-EIGHT MILLION DOLLARS THE TOTAL INCREASE IN SEVEN YEARS OF AMERICAN EXPORTS TO THREE FOURTHS OF THE EARTH.

Our growth in exports to Europe was from $1,057,930,131 in 1904 to $1,308,275,778 in 1911, or less than twenty-five per cent as against an increase in exports to North America from $234,909,959 in 1904 to $457,059,179 in 1911, or almost one hundred per cent. The exports from the United States to Asia and Oceanica in 1904 aggregated $93,002,028 but in 1905 they reached $161,584,046, which figure they never reached again, being in 1911, only $151,489,741. The decrease from the 1904 total exports to Africa and other countries of $24,230,126 varied each year, the figure in 1911, being $23,600,607. The increase of exports to South America was from $50,755,027 in 1904 to $108,894,894 in 1911. This increase of fifty-eight million dollars in exports to South America represented the total gain in the exports of the United States to three great continents during the most progressive period of their history out of a total gain in exports of $896,549,000, or about six per cent increase in exports to an area outside of the North American continent equal to more than three quarters of the earth. The percentage increases, moreover, in the foreign trade of the United States are calculated upon aggregates representing beginnings disgracefully small. Despite these apparent increases the painful truth is that in foreign trade, the United States of America, the greatest and most progressive nation on earth, has not made a start.

GAIN ELSEWHERE LIMITED TO "DUMPED" PRODUCTS OF MONOPOLY.

Practically the only American manufacturers getting a substantial share of the trade in foreign markets are those enjoying a domestic monopoly and even they are required in most cases to sell their products in the foreign market at a far less price than the American people pay for them at home. The proportion of these products in our total exports is very large. Exports of manufactures of iron and steel, for example, including agricultural implements, practically all of which manufactures are monopolized in the United States and sold abroad at lower prices than at home, aggregated in 1912, $273,794,267, or almost fourteen per cent of our total exports.

WE ARE HOPELESSLY OUTSTRIPPED IN LATIN AMERICA.

Our failure is most conspicuous in Central America and South America. Until 1904 our exports thitherto remained practically stationary for twenty years, and to some countries we now sell less than we did eight, ten, and fifteen years ago. But the purchases of the countries in this territory have not remained stationary. The markets, always potentially great, have expanded under the efforts of European interests.

In 1904 we supplied less than thirteen per cent of the $374,000,000 bought in that year by South American countries. This means that South America spent seven dollars in Europe to every one dollar in the United States. In 1904 the South American countries took a less percentage of our total exports than in 1870. Yet South America presents a market of 45,000,000 people.

AFRICA BUYS ALMOST NOTHING FROM US.

In 1904, the total import of Africa was greater than that of all North America, but we supplied only five and one half per cent of it. And Africa presents a market of 170,000,000 people.

OUR EXPORTS TO ASIA INSIGNIFICANT.

In Asia, too, but for the improvement in the Japanese and Chinese trade, the showing would now be paltry. The total jump was made in one year and it was almost one hundred per cent upon the small total of our trade at that time. In China, in 1904, we sold less than eight per cent of the total import, and in Japan less than fifteen per cent, yet these two countries present a market of 475,000,000 people. Had each of these in 1903 bought ten cents' worth from us during the year, our export would have been $8,000,000 more than it was. Compare this with the fact that the purchases of Cuba from us at that time averaged fifteen dollars per head per annum and from Canada twenty-three dollars per head per annum.

ONE BILLION CUSTOMERS BUT NO BUSINESS.

These are the bases upon which the illusory percentages are figured. These are the true facts as to American progress in markets containing more than one billion potential cus-

tomers outside of North America and Europe. Asia and Oceanica alone contain 900,000,000 inhabitants. Our rivals sell them twelve times as much as we sell them. It is estimated that our total exports of merchandise to all South America, Oceanica, and Asia combined, brought in 1904 a per capita return to the people of the United States of less than fifteen cents a month. The British East Indies, with a population of three and a half times that of our own country, spend ninety-eight and one half cents out of every dollar with other countries than the United States.

RECIPROCITY THE REMEDY FOR THE RESULTS OF EXCLUSION.

The conditions which have been set forth are the result of a deliberate policy of exclusion adopted and maintained by the government of the United States for a half century. These conditions can be brought to an end only by a deliberate policy of commercial reciprocity. The large quantities of sugar, wool, flax, and many other food products that we import from abroad do not come into competition in the ordinary sense with the domestic products. In many of these things we are not, and there is no indication that we ever shall be, able to supply our domestic demand from domestic sources. In some most important articles, like wool, hides and skins, lumber, and sugar, the domestic supply as compared with the demand, or even the consumption, is lessening all the time. Yet we have been unwilling to give either the domestic buyer or the foreign seller the benefit of any reduction in duties on this class of articles.

SUPERFLUOUS PROTECTION DESIGNED TO CLOSE FOREIGN MARKETS TO AMERICAN PRODUCTS.

The result of the policy of high protection has been three fold and it has been ruinous in every way. The tax on imports has been made a burden on production equivalent to a tax on the exportation of the goods into the cost of producing which the tax enters. Instead of a means of keeping foreign products out of the United States, it has become primarily the means of keeping the products of the United States out of foreign markets. The tax on imports has become a tax on exports. This policy has also established an artificial price level which has kept our products, without any advantage to the United States, out of foreign markets. And it has left unused the *quid pro quo* which we

might offer, with benefit, in addition, to ourselves, of admission for the products of foreign countries free to our markets in exchange for admission of some of our products to theirs.

EXCLUSION DESIGNED FOR THE ADVANTAGE OF MONOPOLY.

As a matter of fact, American manufacturers are producing almost everything today cheaper than their foreign competitors. It is clearly obvious that the only need American manufacturers have of a tariff is to protect them in high exactions from American people. The sale of American goods abroad at a lower price than that demanded of domestic consumers is a fixed rule. The total cost of "making the market" is charged to the American consumer and the sales cost is a considerable proportion of the retail price, on many articles as much as one half. The establishment by fair competition of a reasonable price level would reduce the sales cost, or cost of distribution, in both the home market and in foreign markets. How much more could be sold in the foreign markets if only a reasonable "one-price" level were established and the import tax which works as an export tax were abolished! The average manufacturer would accept willingly a reduction in duties if he could be assured that a steadier and greater volume of sales would result. Every expansion of American industry beneficial to the people has resulted from such reductions. They have been too rare.

REDUCTIONS SHOULD BE MADE TO BENEFIT ALL.

Some Massachusetts shoe manufacturers were alarmed at the sale in this country of a small order of English shoes as a result of the recent reduction of the protection on shoes from twenty-five per cent, until it was pointed out that the same reduction was followed by an enormous increase of exports of Massachusetts-made shoes.

There is no reason why our people should not have the peculiar kind of shoes bought from England nor any reason why our manufacturers shouldn't be challenged to make them. That is the best possible lead for manufacturers who desire to capture foreign markets.

In the same way there is no reason why the Dutch standard of color should be maintained in the tariff on sugar to keep out the low priced pure dark sugar, which our people were

formerly glad to use, just to give the sugar trust a monopoly of sugar refining.

Tariff reduction is, therefore, desirable in itself; reductions should be made wherever fairness and the common interest will permit them.

GETTING SQUARE WITH BIG BUSINESS A DANGEROUS BASIS OF REDUCTION.

The recent general increases in exports are made up largely of the products of the great monopolistic combinations. They have not been beneficial to American industry generally or to the people, and have resulted from superfluous rates of duty. The present high tariff has unquestionably fostered monopoly. The democratic congress is undoubtedly resolved upon a tariff policy that will punish the monopolies for their exactions from the people. But such a policy will surely result in two years or four years of depression under ill considered tariff legislation to be followed by a popular rebuke to the democrats for giving their attention to a rebuke to the monopolies instead of to the interests of the people, and the tariff will be made a political foot-ball for years to come. Emphatic notice should be served upon them that no rate in the existing tariff law should be changed unless it can be shown that such change will open up new markets to American industry, reduce the cost of production at home, or benefit the great mass of the American people.

Manufacturers must readjust their business to every change in the tariff and impending tariff changes are always regarded with apprehension by the business world and attended by commercial depression and hard times.

There is no justification for any tariff change which brings about such results. Such results are absolutely unnecessary. Tariff changes in the future should be such that they will be looked forward to by manufacturers as an assurance of new and favorable markets for their goods, or of opportunities to reduce the cost of production, by the commercial world as indications of better times, and by the people generally as a means of reducing the cost of living. Every tariff change should have its *quid pro quo* for the people and no legislator should dare to lay a finger upon existing rates except for the benefit of the people.

FOREIGN TRADE AND MERCHANT MARINE GO TOGETHER.

The same neglect which has resulted in our lack of foreign trade has caused us to be without an adequate merchant marine. We have abandoned the foreign markets and the carrying trade to other nations. The two go together. The total foreign trade of Great Britain for 1910 was $5,395,205,000; the foreign trade of the United States for that year was $3,302,804,708. The tonnage of the merchant navy of Great Britain in 1910 was 19,133,870; that of the United States for that year was 7,508,082. It is reasonable to suppose that an increase in our foreign commerce will result in an increase in our carrying trade and the establishment of an adequate American merchant marine.

BOTH MAKE FOR INTERNATIONAL PEACE.

Even if peace is to be preserved only by war, the enlarged merchant navy which an expanding foreign trade will produce is absolutely necessary. But in any case a merchant marine is a better aid to international peace than warships and commercial relations of mutual profit which produce the merchant navy are a surer guarantee of international friendship than treaties of peace or of arbitration.

It is the duty of congress to adapt its readjustment of tariff schedules through provision for reciprocal commercial agreements to the purposes of international peace. This may be done at the same time and by the same provisions by which our foreign commerce and our merchant marine are to be built up.

FOREIGN TRADE AND THE MERCHANT MARINE THE SOLUTION OF THE CURRENCY PROBLEM.

But all trade relations are reducible to terms of money. The test of an economic system is the financial system it produces. If congress cannot correct evils in the financial system of the United States through tariff changes no changes would better be made. The protection which has kept our products out of foreign markets has been an irresistible inducement to domestic competitors, limited to the home market, to combine to restrict production in that market, and thereby to secure the total margin of price between the low price level, where domestic competition ceases, and the

high level, where foreign competition begins. This kind of protection has been the shelter for the exactions of monopoly, and the real cause of almost all restraint of trade. The tariff has been the mother of trusts but the tariff combine has been the trust of trusts. The monopolized industries of the United States have come into the power of the so-called money trust which has a monopoly of credit. The tariff has, in the same way as credit, been turned, by natural evolution and concentration, from its original purpose of stimulating domestic production to a means of holding American industry within such limits as suit the private interests which, as the political trust, has heretofore enjoyed, and may hereafter enjoy, the power, based upon its control of the tariff and monopolized industries and as the basis of such control, to manipulate credit.

A VOTE AGAINST RECIPROCITY A VOTE FOR THE SO-CALLED MONEY TRUST.

Now the basis of credit is gold. With the abandonment of our foreign trade and the carrying trade we abandoned our share in the control of the world's gold supply. By reason of our failure to secure markets for the potential products of our vast producing machinery we do not export enough to pay the interest on foreign money invested in the United States. We are a debtor nation. We lend no real money, we control no real money. Our financiers do not represent us but a foreign money power. Their tariff policy has not been inconsistent with their obligation to serve their foreign principals. Precisely the trap into which the unwary democratic legislator is likely to fall is the reduction of duties without reference to the opportunity of American manufacturers generally in the foreign markets and the favoring of importers, without *quid pro quo*, who are really allied with the foreign interests which profit by our monopolistic tariff policy of exclusion of our own products from foreign markets. The products of the monopolies get to foreign markets, it is true, but at a low price level for which American industry generally and the American consumer must compensate in the payment of artificially high domestic prices. The purpose of tariff reductions should be to bring about as low a price level at home as that met by our monopolies in foreign markets, so that not foreign consumers and foreign producers may profit from those prices but our

consumers and our producers as well and so that all may enjoy equal opportunities to get trade in foreign markets. Under such a system our merchant marine will expand and we shall retain part of the three hundred million dollars in freight money paid by us to foreign shipowners for carrying freight originating and controlled in large part in the United States and the amount to be added thereto by the expansion of the carrying trade of our merchant marine. Freight money means gold and a free American merchant marine means an unconcentrated American control of gold, the basis of credit. Since it is universally conceded that the chief difficulty in our financial system is the concentration of the control of credit and the unreal and therefore inelastic basis of our banking credits represented by bonds which, as the president says, the government made the basis of our banking and currency system fifty years ago only that it might market them, it is evident that the real remedy for the evils of our banking and currency system is to draw a share of the world's gold to our banks through the earning of freight money in the carrying trade and the expansion of our foreign trade to that end through reciprocity. It is in this same way and in no other that proper financial credit is to be apportioned to agricultural enterprise and the grip of the so-called money trust on natural resources, through their use of other people's money and their monopoly of credit, is to be loosened. In all these things the legislator's mind should dwell upon the *quid pro quo* for the whole American people and the application of the principle of reciprocity, for that is the beginning and the ending of the true method of tariff making in the interest of the American people.

RECIPROCITY AND THE PANAMA CANAL THE BEGINNING OF A NEW ERA.

The opening of the Panama canal will inaugurate a new era in commercial history. Distances hitherto almost prohibitive of trade will be utterly annihilated. The ends of the earth will be brought within reach of one another for the transportation of commodities. The American people should celebrate this event by bringing their industries, through reciprocity, into communication with the most distant markets and preparing to share in the tremendous increase of foreign trade to which the opening of the canal will give its impetus. The policy of reciprocity is just as workable as

the policy of high protection or the policy of free trade. The main difference between these policies and the policy of reciprocity is that reciprocity alone aims neither at retaliation nor the abandonment of the power to retaliate, but at the recognition of that power in others, and at the use of that power not for mutual damage but for mutual benefit.

THE LEGISLATURE'S DUTY TO MEMORIALIZE CONGRESS.

Gentlemen of the general court: A large majority of you are republicans. Yet you stood with the democrats, in the political revolution which we have witnessed, for a common principle. If you had not done so, this revolution would not have been brought about. You know that democratic victory in the last election was a declaration for protective downward revision through the application of the policy of general reciprocity — the Massachusetts plan of constructive tariff reduction. But you also know that precisely the reverse of this plan is likely to be put into effect by the democratic congress, a non-protective, tariff for revenue only, unreciprocal, destructive upward and equally destructive downward revision. It is your right, it is your privilege, it is your duty to memorialize congress in behalf of this commonwealth against such a peril to the interests of Massachusetts. The president has invited all, irrespective of party allegiance, to co-operate with him in the purposes outlined in his inaugural address. Sound tradition and good principle justify a memorial of a state legislature to congress. I recommend that through such a memorial you communicate to congress the desire of the people of Massachusetts that in all tariff making it apply the principle of protective reduction through reciprocity to the end that the tariff question may be put in the way of permanent settlement and a progressive policy of development of American commerce entered upon.

WHAT RECIPROCITY AND PROTECTIVE REDUCTION WILL DO.

Let the United States get her foodstuffs free of duty, and free raw materials for her industries, and her manufacturers will not only not ask for unreasonable rates to protect their manufactured products but will soon give willing consent to constant reductions until a fair trade basis the equivalent of a free trade basis shall be, if ever, safely reached. Equal opportunity in the home market and a fair chance in the

foreign market is all that the American manufacturer asks. With the reduction of the tariff will come an expansion of our foreign trade. When we have secured the foreign markets, concern for the home market will be past. Unless we gain the foreign markets, the home market will cease to expand to its normal measure. Increased exports will bring about the establishment of an American merchant marine; the drawing of American freight money to our banks will strengthen our financial position, give us profits that we now abandon to other nations, and furnish us with a basis of a sound monetary system. The carrying trade is, thus, an integral part of a national system of industry and commerce. Free intercourse with other nations has a value in itself. A merchant marine is a better aid to international peace than warships, and commercial relations of mutual profit are a surer guarantee of international friendship than treaties of peace or of arbitration. With the policy of reduction should be coupled, therefore, a program of reciprocal trade agreements with all nations. To fail to reduce the tariff and to abandon reciprocity at this time, is to abandon the future of American commerce, to give up hope, and to give way to complacency — or despair. The republican attitude assumed that there are no more markets open to American producers. We should say most emphatically that to the products of American labor no market should be closed. Take off that part of the price which results from superfluous protection and the demand will be increased fifty per cent in the domestic market alone and, through his new found power to compete and sensible reciprocity arrangements, the American manufacturer will have his share in the new commerce to arise from the opening of the Panama canal and the American people will have their part in the expansion of every continent on earth.

[To the honorable senate and house of representatives, April 7, 1913.]

Herewith I return without my approval An Act to establish the office and salary of the chief deputy sheriff for attendance upon the superior court of the county of Suffolk.

Under the revised statutes the sheriff is given full authority to appoint deputies who, under proper bonds and regulations, may perform certain duties of the sheriff. No exigency therefore exists for the appointment of any special deputy at an increased salary as provided in this bill. The measure

therefore resolves itself to the authorization by the legislature of an increased compensation for one county employee in distinction from many others who will continue to perform duties of the same general nature, without such increase.

I would, therefore, draw the attention of the legislature to my message of March 24, 1913, in disapproval of An Act to establish the salaries of officers in attendance at civil sessions of the municipal court of the city of Boston, which provided substantial increases of salary for two of these officers above the regular compensation of the other court officers.

My objection to these and other similar measures rests on my conviction that the adjustment of salaries should be made upon a general basis and with equitable regard to the public service and the taxpayers. I believe it is impossible to accomplish equitable results by special legislation of this character, and I again urge upon the general court the necessity of referring to a special committee the careful analysis of the public pay roll, in order to arrive at recommendations which shall meet the situation as a whole. The present tendency leads toward the bestowal of special favors upon individuals rather than an adjustment of expenditures which will be fair to all. Such a legislative study was authorized by the legislature of 1903, and a readjustment of salaries was then effected. Conditions have doubtless changed during the ten years since that adjustment was made, and, in my opinion, the time has come for a new adjustment in which the interests of the taxpayers, and the interests of the public service shall be most thoroughly conserved.

[To the honorable senate and house of representatives, April 7, 1913.]

I return herewith, without my approval, An Act to authorize the city of Boston to appropriate money to be added to the rental of the East Boston tunnel, and providing in effect, though not in substance, that the sums now collected through the one cent toll are to be collected by direct taxation from the taxpayers of Boston.

I earnestly desire to see the East Boston tunnel freed from the present toll; but a careful examination of this measure indicates clearly that that result cannot be reached by this means.

The tunnel was built through bond issues, which were taken up by individuals, and it is a condition incorporated

on the face of these bonds that the receipts from tolls are pledged to the payment of the interest thereon.

Many of these bonds are held by citizens of Boston who, if this bill becomes a law, will be obliged to pay in part the guaranteed dividends on their investment, through their taxation. I am advised that any individual bondholder who objected to this procedure could nullify the proposed law by application to a court of jurisdiction.

Moreover, the attorney-general, under date of March 12, 1913, rendered an opinion to the legislature that the bill as then drafted was unconstitutional. That bill provided, under section 1, that money should be raised by taxation to apply to the payment of the interest and sinking fund requirements for the bonds issued for the construction of the East Boston tunnel. Subsequently to this decision the bill was amended by striking out the provisions that the funds thus raised by taxation should be applied to the payment of interest on the bonds. Clearly, the present bill represents only an attempt to circumvent the constitutional objections as pointed out by the attorney-general.

Furthermore, the measure provides that the appropriation of $125,000 to be raised by taxation for the purposes of this bill may be initiated by the mayor or the city council. The amendments to the Boston city charter, as authorized by chapter 486 (section 3) of the acts of 1909, provide that such appropriations shall be initiated only by the mayor. The proposed bill therefore sets aside one of the principal provisions of the new city charter by authorizing the city council to initiate appropriations.

This proposed bill, furthermore, illustrates notably the absurdity of the present situation, in which the people of Boston are exclusively taxed to maintain improvements which are of benefit chiefly to the suburban communities. In the present instance, the tunnel offers to the people of Revere, Chelsea and other communities to the eastward of Boston, but beyond the city limits, a means of quick access to Boston. It improves the value of their property and enables them to take a more remunerative part in the industrial and business affairs of our metropolis. The same is true of many other city improvements which, under our existing methods, are constructed and offered gratis by the city of Boston to the residents of our suburban communities.

[To the honorable senate and house of representatives, April 7, 1913.]

Herewith I return without my approval An Act to establish the salary of Thomas J. Gorman as messenger of the municipal court of the city of Boston.

My objections to this measure are the same as those I expressed in my veto of March 24th, relative to an act establishing the salaries of the officers in attendance at the civil sessions of the municipal court in the city of Boston.

In substance these objections were to the effect that no general adjustment of salaries has been made on broad lines since 1903, and that in my judgment further revisions of salaries should now be made only after the adjustments then authorized have been reviewed as a whole, in the attempt to meet whatever changes of conditions have arisen since that time.

[To the honorable senate and house of representatives, April 7, 1913.]

Herewith I return without my approval An Act to increase the salary of the chaplain at the Massachusetts reformatory.

The present salary is $2,000, the same as the salary of the chaplain at the state prison. The proposed increase to $2,500, instead of rectifying any disparity in the present pay roll of the commonwealth, merely introduces another inequality in favor of one individual.

In this connection, as in my earlier message of this date relative to a public employee of the county of Suffolk, I earnestly request that the legislature authorize some adequately constituted committee to investigate the entire subject of salaries of public servants, as was done under authority of the legislature of 1903.

I believe that no useful purpose can be accomplished by an attempt to adjust individual salaries separately. This method beclouds the main issue, and in the attempt to meet the requirements of some specific case leaves out of the account the organization and administration of the public service as a whole.

[To the honorable senate and house of representatives, April 10, 1913.]

I note with much interest that several measures are pending before the legislature on the subject of municipal markets and distributing stations for foodstuffs, coal and other necessities of life, as a means of meeting the high cost of living.

In my judgment it will require the fullest legislative inquiry in order to determine in general whether such plans of municipal or public distribution are desirable.

However, there is one conspicuous possible application of the principle of public distribution to which I earnestly direct your attention: — namely, the distribution of pure milk from Massachusetts farms for Massachusetts consumption.

In the present status of the milk industry in Massachusetts, the farmer is undoubtedly receiving on the average a price which does not return him any direct profit; and I am informed that cattle are now being kept upon the farms of this commonwealth only because they form an integral part of the general farming operations.

The farmer is receiving on an average considerably less than one half the price paid by the consumer. Under these circumstances it is not strange that the number of milch cattle in this state has been diminishing at the rate of 3,300 cows per year for the past five years, according to the returns of the assessors.

Here is obviously a condition which calls for immediate legislative attention, because the abandonment of dairy operations in this commonwealth renders the public dependent upon milk imported into the state from a considerable distance and from sources of supply which are beyond any effective and continued control by Massachusetts authorities.

An adequate supply of pure, fresh milk is one of the prime requisites of a community, and any state policy under which this supply must be taken from other states and from Canada, as at present, reveals a menace to the public health.

A further handicap under which the dairy business is now conducted in Massachusetts is the policy of the contractor, who mixes the milk from Massachusetts dairies with milk received from outside the state. The contractor is therefore in a position to demand from the Massachusetts farmer a supply of the highest grade, but the public does not benefit by this, for the reason that the contractor mixes this milk with inferior supplies which he imports from New York, Canada and other shipping points. At the same time the Massachusetts farmer is compelled to accept a low price for his milk under the continued apprehension that if he does not accept these prices he will lose his trade altogether inasmuch as the contractor is now free to seek his supply wherever he pleases provided he maintains an average qual-

ity which will suit the legal requirements of the commonwealth.

Until these conditions are changed little can be expected in the way of health protection by increasing the severity of the regulations under which the Massachusetts farmer now operates, as the tendency of these added restrictions will be to still further diminish the supply of Massachusetts milk and increase the proportion of our total supply which is now drawn from distant points, — the latter milk reaching the consumer after from forty-eight to sixty-four hours delay.

In view of all these circumstances I deem it my duty to call your attention to the method of milk production under public auspices and of milk distribution by public agencies now being followed successfully in and around New York city.

The municipality of New York owns and operates fifty-five retail milk distributing depots located in those sections of the city where the population is densest and poverty the most common. At these stations milk of the best quality is distributed in sealed containers to all comers at a moderate price. These stations are not strictly competitors of the general milk contractors and dealers, inasmuch as no milk is distributed from them by teams.

The milk supplied to these distributing depots comes from a central dairy station established in the dairying communities of the state. All milk cans and containers used by the farmers are sterilized and sealed at this station, received by the farmers and returned filled with the next milking. The station is thus responsible for the cleanliness of the dairy utensils and the farmer is held responsible for the cleanliness of his stock and barns. All milk immediately upon its receipt is tested and graded either as "Grade A," "Grade B," or "Grade C."

"Grade A" corresponds, roughly, to our "certified milk" in that it possesses a very low count of bacteria. For this milk the farmer receives the maximum price.

"Grade B" consists of that milk which falls below "Grade A" but which is still wholesome for human consumption.

Under "Grade C" are included all other deliveries which are accepted by the stations but which are required to be sterilized before being used for human consumption.

A system has been worked out by which these tests can be made promptly and accurately. The tests of each delivery

are recorded and those farmers whose average shows the highest monthly quality are given, in addition to their cash payments, a substantial bonus.

By the New York method, the farmer is encouraged to produce the best milk and the public is guaranteed an immediate delivery of first-class milk from nearby sources, in a fresh state and at a moderate price.

I am informed that under this method of distribution in New York city the infant death rate has been reduced to the lowest point ever recorded in that city. Inasmuch as all our current discussion of the milk question is based on the needs of children for pure milk, I believe that the success of the New York plan is very significant.

Under the existing method in Massachusetts, the farmer loses his due share of the profit by reason of the exactions of the contractor. The public has no guarantee of high grade milk because of the large shipments which the contractors receive from other states and which therefore cannot be fresh when received, although they may satisfy the requirements of law as regards infection and contamination.

Having in mind the obvious dangers of unwise legislation in regard to further handicapping the Massachusetts milk industry, and having also in mind the statement of federal dairy authorities that, notwithstanding the disadvantages I have mentioned, Massachusetts ranks among the first four states in respect to purity of milk, — I believe we may safely proceed along lines substantially the same as those known as the "New York" plan.

I further believe that encouragement should be given to Massachusetts dairymen by the legislature, and that a liberal appropriation should be made to the state board of agriculture for distribution among practical dairy farmers in the way of prizes for superior product, and the spreading of information leading to more economical production and handling of milk and milk products.

[To the honorable senate and house of representatives, April 15, 1913.]

Following my veto message of April 7th, in relation to house bill 2186, I transmit herewith the draft of a bill which I believe, if enacted, will lead to abolishing legally the existing East Boston tunnel toll.

I am fully in sympathy with the effort to remove this toll, and for this reason I am anxious to see effective legislation enacted to this end.

The accompanying bill authorizes the city of Boston, subject to the ratification of the people at the next city election, to appropriate from the tax a sum of money sufficient to meet the situation, provided the holders of the existing tunnel construction bonds consent to a waiver of the pledge expressed on the face of such bonds, that the whole amount of the tolls shall be devoted to meet the principal and interest of the bonds. If a majority of the voters of Boston ratify this measure, I believe that the bondholders will readily agree to its terms.

[To the honorable senate and house of representatives, April 15, 1913.]

Herewith I return without my approval An Act to prohibit the use of common drinking cups in public places.

Chapter 428 of the acts of 1910, authorized the state board of health to prohibit the providing of common drinking cups in "such public places, buildings, or vehicles, as it may designate."

Under the authority of that statute, the board of health has issued regulations prohibiting common drinking cups in public parks, streets, railroad stations, railroad cars, steam, or ferry boats, and in any building or premises used as a public institution, hotel, theatre, public hall, or public school.

The present bill, if approved, cancels the authority of the board of health and makes a sweeping prohibition against the use of common drinking cups in all the before mentioned places and also in any place of business where more than twenty-five persons are employed.

I am advised, on the highest medical authority, that the public health is safeguarded in respect to public drinking cups, by the before mentioned statute of 1910, so far as legislation of this sort can accomplish that result.

I am convinced that even the existing law acts to interfere seriously with the free use of drinking water by the general public and that such use is necessary to health, particularly during the summer season.

It is true that this law has led to the very general use of particular types of waxed paper cups, but these cups are now handed about from mouth to mouth and they do not reveal the presence of injurious matter as readily as a clear glass cup.

There is grave reason to question whether the introduction of these patented cups has really served the purpose upon which arguments for their introduction were based.

Moreover, it is common experience that there still remain very many public places, previously supplied with abundant drinking water, in which no such supply is now available. The statute is therefore acting, as I have said, to cut down seriously the consumption of water and it undoubtedly favors the use of other beverages less desirable from the standpoint of public health.

I particularly object to that clause of the bill which prohibits the use of drinking cups in places of business as I believe that any unnecessary restrictions upon the use of drinking water in such places, by working people, is objectionable.

Whatever dangers may arise from possible infection through contaminated drinking glasses, may be very largely removed by cleansing these under running water. So generally is this admitted that to a great extent surgeons are now using running water to cleanse their surgical instruments, whereas formerly powerful disinfectants would have been utilized.

I heartily favor the wide introduction of the so-called "bubble" water fountains in public places and in places of business, factories, and workshops, but I believe that legislation which, without securing this result, merely prohibits the use of common glass vessels, is distinctly against the public health. Its sole argument rests on the possible dangers from dirty glasses and wholly ignores the universal necessity of an abundant supply of drinking water.

I believe that the board of health can be safely trusted to prescribe and administer all necessary regulations in this respect. If this is not true then the legislature, and not the board of health, should assume all the responsibilities regarding the public health, now resting upon that board.

[To the honorable senate and house of representatives, April 16, 1913.]

Herewith I return without my approval An Act to increase the powers of the Cambridge Electric Light Company, and bestowing upon that corporation the right to generate, distribute, and sell steam and other forces, except gas, for light, heat, power and other lawful uses, and authorizing it to construct, maintain, and operate all necessary machinery, pipes, conduits, and other equipment for such purposes.

This measure would give to the Cambridge Electric Light Company an extension of corporate rights, powers, and privileges of a far-reaching character. It authorizes the

corporation to construct conduits or other means of transmission as may be necessary through the public streets, and wherever required; but it proposes no sort of regulation over these new classes of service other than the existing laws relative to electric light companies within their customary field of service.

This measure furnishes an illustration of the present tendency to confer extremely valuable additional rights upon existing companies and thus in effect to reconstruct them under a far more valuable franchise than they originally held, but without any equivalent return to the public. Legislation of this sort is objectionable and dangerous.

This bill also shows the great importance of providing immediately, without equivocation, for the more effective public regulation of our public service corporations before bestowing additional legislative benefits upon any such existing corporations.

[To the honorable senate and house of representatives, April 18, 1913.]

Herewith I return, without my approval, An Act to establish a standard for butter and oleomargarine, and providing punishment for dealers who sell butter containing more than sixteen per cent of moisture.

While this law belongs to the general class of pure food laws, and while I am heartily in sympathy with the protection of the public health through suitable legislation, I feel that this law, if approved, would serve to discredit the general plan of equitable health regulating legislation.

I am informed that good butter normally contains eleven per cent of moisture; that this percentage may be slightly greater if the butter is not sufficiently worked subsequent to churning; and that there is no simple and economical test by which the exact percentage of moisture can be determined.

Whether a tub of butter contains eleven or sixteen per cent of moisture can be determined only by a laboratory test which involves considerable expense; for example, from two to five dollars per test. The butter dealer, unable to determine for himself the exact amount of moisture, is condemned by this bill to pay a heavy fine if the moisture exceeds sixteen per cent, irrespective of his entire ignorance of the conditions under which the butter was made and of the fact that the greater part of our butter is supplied from distant points. Therefore, in order to comply strictly with this law, the dealer will be compelled to test each shipment, or even

each tub or package of butter, and this inevitably will bring an immediate rise in the retail price of butter, probably amounting to several cents per pound.

If this increase in price were necessary for the protection of the public health I would sign this bill notwithstanding. But the issue in this instance is not the introduction of any injurious substance into the butter, but merely that of excess moisture.

In my judgment, the case does not justify either the imposition of a fine upon a dealer guiltless of unlawful intention, or the rise in the price of this commodity which would follow the enforcement of the law.

The Massachusetts dairy interests operate at present under such unfavorable conditions that the larger part of our butter is imported from other states. The trade thus comes under the jurisdiction of the federal government which has very properly established rigorous laws relative to butter and other foodstuffs. Two of these laws relate specifically to oleomargarine and to butter, and under both laws a limit is fixed for the percentage of moisture which shall be permitted.

In my judgment, the enforcement of these laws should be left to the federal government, the only agency which can reach the real source of the trouble, namely, — the producer who is unscrupulous or careless in the manufacture of his product. This is the custom followed now very generally in regard to meats and package goods and, in my judgment, it is entirely applicable to the butter industry.

I would earnestly warn against the passage of legislation which, while it purports to safeguard the public health, will have for its chief result the imposition of some added burden or hardship upon the people.

[To the honorable senate and house of representatives, April 22, 1913.]

Herewith I return without my approval senate bill 212, being An Act relative to the listing of voters in the city of Boston.

Under the codification of election laws provided by chapter 560 of the acts of 1907, the listing of voters in Boston is effected under a listing board, by the police officers through visits made to every building in the city and a diligent inquiry to ascertain the names, ages, occupations and residences of persons eligible to vote. This work is done through the first seven week days of April. (See amendment section 2, chapter 440, acts of 1909.)

To provide for the registration of voters subsequent to this general listing, the police commissioner maintains at police headquarters, in Pemberton square, the requisite office equipment for investigating and passing upon the applications of all such persons. The office is open for this purpose for about six months between April first and the state election, and this year will be open for an additional month or six weeks between the state and city elections. During the last month prior to an election the office hours are from 6 A.M. to 10 P.M., and on the last day of the registration period the hours are from 6 A.M. to 12 midnight.

This work of registration requires the attendance of police inspectors and clerks in order that all applications may be properly prepared and sworn to. The listing system is admirably administered and out of the total registration of over 200,000 voters an average of only about 800 voters appear for registration subsequent to the regular listing.

The police department of the city of Boston is, in my judgment, one of the best administered police bodies in the world and, in all matters affecting the efficiency of that department, I invariably seek the advice of commissioner O'Meara. Having done so in the present instance, I have been informed by the commissioner that if this bill is enacted into law the regular police work of his department will be badly interfered with, inasmuch as the measure requires that not only police headquarters, but all the station houses within the city of Boston, be operated as places of registration for voters throughout a period of several months each year. Nevertheless, the average number of individuals for whose benefit each station house would be operated as a place of registration, is not more than forty-five, the grand total of persons eligible to vote in Boston, and not listed, but applying for subsequent registration, being about 800.

The police commissioner has thoroughly established the entire system of centralizing registration at police headquarters and, unless grave reasons exist for changing this plan, I cannot approve of throwing open all the station houses of Boston to this work of registration.

The proposed bill places upon the captains and lieutenants at the station houses a form of duty entirely outside the scope of their regular police work and it is of the utmost importance that these men, instead of being burdened with additional clerical duties, should be left as free as possible to carry on the work for which they are employed, namely, —

the protection of the city from crime and the preservation of public order.

Another reason for disapproving the present bill is that under its provisions each station house would become a center of political activity. Candidates and their campaign workers would recognize in the bill a new agency for enlisting the support of the voters and of conducting them in person to the nearest place of registration and supervising the work of registration in their own interests. For these various reasons I believe the bill is a step in the wrong direction.

[To the honorable senate and house of representatives, April 28, 1913.]

Herewith I return without my approval An Act relative to the conveyance of destitute, neglected, abandoned or lost children, which provides that no such child shall be conveyed in a patrol wagon to a station house or to a court house except in extreme cases of emergency.

Patrol wagons are now used in Boston for the conveyance of lost children when, in the judgment of the police, no other means of taking care of them is more desirable.

When a child is lost the first consideration is to restore it to its parents or guardian, and for this purpose a policeman may at his discretion take the child on foot or by trolley car to the nearest station house. A description of the child is then telephoned to all the station houses throughout the city, and the child is thus put into communication with its parents or guardians with the least practicable delay.

There are sometimes instances in which the use of the patrol wagon for the conveyance of such children appears to be the only practicable measure, — in cases for example where the patrolman is unable to leave his beat or the condition of the child calls for the quickest possible attention.

In protesting against this proposed measure commissioner O'Meara says that he "cannot appreciate the humanity which forbids the quick conveyance of children in covered vehicles sheltered from the weather and from observation and would prefer that in the custody of policemen they should be led through the streets or carried in street cars, exposed to the gaze and comments of the curious public."

Last year 2,069 lost children were restored to their parents by the Boston police, and of these 538 were conveyed in patrol wagons.

While I have specifically referred to the case of lost children, the same reasons hold with respect to abandoned or

neglected children as well. In each instance the child must be taken care of in the most advisable and expeditious manner.

There may be objections to the use of a patrol wagon in any other than a criminal case, and I would greatly prefer to see these wagons provided with ambulance signs, as is now done in some centers.

In further objection to this measure, I quote as follows from a letter of protest against this bill from commissioner O'Meara dated April 14th: —

> It is a peculiarity of bills of this character that while magnifying the smaller matters they overlook the larger. The Boston police in 1912 had to do with 2,248 delinquent or wayward children. Of these, 1,409 were before the courts on summonses and were therefore presumably not under physical arrest. But there were 939 who were actually arrested, with or without warrants. All were under seventeen years of age and according to the juvenile law the proceedings against them are not to be regarded as criminal; but the proposed statute gives them no consideration. The Boston police department, on the contrary, long ago appreciated the situation, and a rule which has been in force for years provides as follows: —
>
> "No prisoner under seventeen years of age shall be carried in a vehicle which is occupied at the same time by prisoners above that age; but when an enclosed van is used a prisoner under seventeen years of age may be placed in a compartment separated from that occupied by the older prisoners; and in emergencies, or when a prisoner under seventeen years of age has been arrested in the company of an older person or for complicity in the same offence, such prisoner may be carried in the same vehicle with persons above seventeen years of age, provided a police officer accompanies them within the vehicle."
>
> That standing rule represents, in my opinion, the limit to which humane feeling can be carried if tempered by common sense and practical necessity.

[To the honorable senate and house of representatives, April 29, 1913.]

House bill 340, recently enacted, to prohibit the misuse of the flag of the United States, will go into effect on May tenth and will prohibit the importation or sale of any commodities carrying the representation of the United States flag.

Earnest representations have been made to me that this act will impose great hardship upon many thousands of dealers throughout the commonwealth, unless it is so amended as to give the merchants of the state sufficient time to dispose of such goods as they have already ordered or have in stock, upon which the prohibited imprint appears.

I therefore request that the legislature consider the enactment of an amendment to chapter 464 of the acts of 1913, deferring the date when it shall go into effect for a sufficient period to meet the manifest necessities of the merchants of the state.

[To the honorable senate and house of representatives, April 30, 1913.]

I return herewith, without my approval, house bill No. 2151, being an act relative to the enrolment of members of political parties and to the changing and cancellation of party enrolment.

The law now provides that in order to effect a change in enrolment in a party at any primary, such change must be made ninety days before the date of the primary by appearance in person before the election commissioners of Boston, the city clerks in other cities and the town clerks in towns.

House bill No. 2151 extends such time to the last day for filing nomination papers for such primary, which in the case of a primary for a regular election is the fourth Tuesday preceding the primary, and in the case of a primary for a special election, the second Tuesday preceding the primary.

Therefore, in effect, it grants an extension of time for making changes in party enrolment. It recognizes the hardship imposed upon the voters by party enrolment, but in my opinion does nothing to relieve it.

The difficulty at present arises not from the necessity of appearing before the constituted authorities ninety days before a primary, but in being compelled to make such appearance at all. Men find it difficult to attend to such matters during working hours, the offices of the election commissioners or city or town clerks are rarely open evenings, and it is generally a matter of great inconvenience to the voter to make such visit even when his mind turns towards such a question of politics.

The general experience has been that voters give little attention to such matters until immediately prior to the primaries. This statement receives ample demonstration in the fact that although a great new political party was created at the last election, with thousands of avowed followers, the number of voters enrolled in such party at the present date is almost infinitesimal.

House bill No. 2151 has been passed in response to a petition to allow voters to change their party enrolment at the time of voting at the primary. It is obvious that the spirit

of the petition is not in the least respected by the bill as it stands.

In my opinion the proper remedy is the abolition of party enrolment, with a party column ballot in the primary and the confining of voters to the column of one party if party responsibility is deemed desirable.

As former lieutenant governor Luce has said, "The open primary leads to a greater participation in the nominating process. Tradesmen, clerks, employees of all sorts, and many professional men who feel the loss of usefulness or profit if they take sides in politics, are kept away by the closed primary." If the legislature is unwilling to surround the voter with the same safeguards in making his choice between parties at the primaries that it has surrounded him with in making his choice between candidates at the election under the Australian ballot, then I believe it should at least go as far as does the original bill which accompanied the petition on which this act was based.

[To the honorable senate and house of representatives, May 2, 1913.]

Herewith I return without my approval An Act to provide that veterans of the Spanish war and the Philippine insurrection shall receive certain credits in civil service examinations.

Substantially the same measure was passed by the legislature of 1912. In vetoing the measure at that time I said: —

> Our existing civil service rules afford extra credit, with respect to "experience" papers, to persons who have served in the United States army or navy or the state militia, in recognition of their special training for faithful public service.
>
> The present bill extends special credit to veterans of the Spanish war, upon all subjects of examination, and thus gives them the preference over other candidates solely on the score of their military service.
>
> I cannot believe that the young men who volunteered for the Spanish war, and who thus manifested their loyalty to our government and our institutions, have so far forgotten that loyalty as to pull down the standards of our public service.
>
> Individual fitness and ability should be the prime requisites for admission to public office. To enter upon the public pay roll any one who cannot meet on terms of equality with his fellow citizens the just requirements of public employment is an act destructive not merely of efficiency in such service, but of the very foundations of democratic government and of good citizenship itself.

I am unable to see that the present measure justifies any

different action from that which was accorded to the measure of last year; and the same reasons are now binding upon me which I then set forth.

[To the honorable senate and house of representatives, May 2, 1913.]

Herewith I return without my approval, An Act relative to the civil service laws, rules and regulations, which provides that all persons eligible for appointment as civil engineers of the senior grade, shall be retained on the eligible list for ten years.

I transmit herewith a letter of protest against this measure, from the civil service commission, under date of May 1, 1913; and I sustain this protest, believing as I do that ten years is an unreasonable length of time during which to maintain the eligibility of any candidate under the civil service after having taken an examination.

Particularly does this appear to be true in respect to engineers, as the engineering sciences are rapidly advancing at the present time, and an examination which, if passed, would constitute an adequate credential to-day, would probably not be suitable ten years hence.

I believe that in general, and particularly in respect to clerical and minor positions, candidates should not be required to present themselves at such frequent intervals for re-examination as is now required. Therefore, if this present bill applied generally throughout the civil service field, and not to a particular class, and if the extension of the present time limit which it proposes to make were reasonable, I would approve it.

OFFICE OF CIVIL SERVICE COMMISSION,
ROOMS 151–152, STATE HOUSE, BOSTON, May 1, 1913.

To His Excellency EUGENE N. FOSS, *Governor, State House, Boston, Mass.*

YOUR EXCELLENCY: — The civil service commission desires to file its objection to the approval of house bill 1352, providing that persons who have been eligible for appointment as civil engineers, senior grade, shall be retained upon the eligible list for ten years, for the following reasons: —

First: The bill gives a preference for ten years to men who happen to have been fortunate enough to obtain a position in the classified civil engineering service, senior grade, even though they may have left such service of their own accord and to their own financial advantage, and to the disadvantage of the service of the commonwealth, if within the ten years they desire to return to

such service. They are then given, under the proposed law, a preference over other applicants. This seems to the commission to be unjust to those who have more recently been examined and qualified for the service.

Second: Ten years seems to be an unreasonable length of time in which to keep the eligibility of any person alive, except after a re-examination.

Third: There is no provision as to how a person under this proposed law shall be considered for certification if placed upon the eligible list. Shall he be certified in preference to all others, or only when the commission is requested to certify him by some appointing officer? This question the commission is unable to decide.

Fourth: The legislation is asked for by one man who, after having been employed for several years in the United States service at Panama, now wishes to be restored to the service of the commonwealth. So far as the commission is informed, no one else seems to be particularly interested in the matter.

Very respectfully,

WARREN P. DUDLEY,
Secretary.

[To the honorable senate and house of representatives, May 5, 1913.]

I transmit herewith a letter from Dr. L. Vernon Briggs, of the state board of insanity, urging the necessity of more effective supervision of the families of the inmates of our institutions.

In this connection I would draw attention to our present failure to accord adequate protection to the dependent wives and children of men who are shut up by the state in our institutions, whether because of crime, sickness or insanity.

Our institutions are conducted primarily for the protection of the public. At the same time, our system ignores very largely the fact that, in removing the bread winner of a family, we expose that family to the very conditions of destitution and helplessness which are most of all conducive to crime and permanent pauperism.

We are, for example, sentencing drunkards to long terms of imprisonment, clothing, feeding and housing them, and giving them expert medical service. In a majority of cases these men possess some wage-earning capacity, but in shutting them up we permit their families to be turned out on the streets, to get what they can from public or private charity, or both. The time will come, in my judgment, when we shall recall this present practice with profound humiliation.

After mature consideration of the various classes of persons confined within our institutions, I have come to the conclusion that we should first of all consider the dependent families of those who are confined in our insane asylums.

Moreover, every step which the commonwealth can take to relieve our institutions of any of their charges and make them self supporting and useful members of the community should be taken at the earliest possible moment; also every possible step toward the after care of our mentally ill and the prevention of such illness.

These steps are requisite in view of the crowded condition of our institutions and the increasing demands for additional buildings.

I am informed on the highest authority that our present policy is leaning too much in the direction of merely shutting up mild cases of insanity.

In other countries, — notably in Scotland, — public policy has established a system of removing mild cases from the institutions and finding suitable private homes in which they may be cared for.

While we are now making, to a very limited extent a somewhat similar provision, I have become convinced on the testimony of officials connected with our institutions that we could probably discharge from five to ten per cent of the insane now confined in the institutions of the commonwealth if we maintained any adequate means of locating them either in their own homes or in other places in which they could be boarded out.

I would, therefore, direct the attention of the legislature to the recommendation made by Dr. Briggs in favor of the establishment of a so-called social service to be conducted by the state under the supervision of the board of insanity.

Social service as understood and practiced elsewhere to-day aims to furnish friendly advice and co-operation on the part of the state for the benefit of the wives and children from whom the wage-earner of the family has been removed through the operation of law. For example, a mechanic becomes suddenly afflicted with some form of insanity and public safety demands his immediate seclusion in an institution. Surely, the commonwealth owes some obligation to the wife and children who are thus suddenly and without any provision or warning deprived of their means of support.

In many instances friendly counsel and advice in regard

to the economical organization and conduct of the household, or in respect to securing positions for the wife, and the children of proper age, would be sufficient.

Moreover, many insane people retain sufficient reason to brood over the helplessness of the families from whom they have been removed, and whom they have been forced to leave without protection. This fact in itself may be sufficient to preclude the hope of a cure in many cases.

I believe that social service work should also be established with respect to the families of our prisoners, and that the latter should be more efficiently occupied in productive labor.

I have repeatedly called public attention to this latter consideration, and am confident that the pending reconstruction of our penal system will result in the establishment in Massachusetts of these much needed improvements.

I transmit the accompanying letter from Dr. Briggs, and with it the draft of a proposed statute, in the sincere hope that this legislature will take cognizance of the conditions herein set forth, and will make a beginning, at least, toward an ultimately complete provision for the protection and assistance of the families of our insane, in all cases where other than public means are lacking.

If we continue to ignore the possibilities of this modern method of providing for the insane, we must continue to make rapidly increasing appropriations, as at present, for the permanent state custody of practically all cases of insanity within the commonwealth, however mild the form of the disease may be.

BOSTON, April 25, 1913.

Governor EUGENE N. FOSS, *State House, Boston, Mass.*

MY DEAR GOVERNOR FOSS: — While the present legislature is in session I hope you will present to them the need of taking some action toward definitely and intelligently stopping the increase of the state's dependents. Up to the present time the state has in the main devoted its resources to housing propositions so far as this class is concerned. I feel that the commonwealth should now take immediate action toward the prevention of the constant increase in this class who are multiplying faster than we can build institutions to accommodate them.

Social service properly organized is our first great step. This does not mean a body of untrained volunteer workers untactfully entering the homes and grappling with the private affairs of our citizens, but a body of trained workers without regard to sex or creed who experience has proved are welcome in every home and

community in our land. They can do as good or better work among the mentally ill than is now being done by an army of faithful workers to stamp out tuberculosis throughout the state.

One or two of our state hospitals are doing some work along social service lines and one or two are doing some work on eugenics, but there is no organized work and no means have been provided for organizing and carrying the work out properly.

If the state would provide the small amount of money necessary to organize this year it would be saved the care of a good many dependents who will have to be taken care of the rest of their lives if we delay another year.

Sincerely yours,

L. VERNON BRIGGS.

[To the honorable senate and house of representatives, May 8, 1913.]

Herewith I return without my approval An Act providing for an increase of wages for laborers directly employed by the Metropolitan park commission and the Metropolitan water and sewerage board within their several districts, to $2.50 a day.

At this time the public is much concerned with the question of a minimum wage. The legislature of 1912 created a minimum wage commission for the express purpose of providing for the determination of minimum wages for women and minors. At my earnest recommendation also, a board of labor and industry was created by the last legislature, having broad powers over the conditions of industry and labor.

With these marked advances in the public policy of Massachusetts, we must make further progress in strict accordance with the experience which will accumulate from the operation of these and other new and progressive labor laws.

The present bill sweeps aside all the just considerations of the industrial field in general and establishes arbitrarily a high standard of pay for unskilled laborers without any reference whatever to the workman's individual fitness, character, length of service or other qualifications.

It also takes the entire matter out of the hands of the Metropolitan park commission and the Metropolitan water and sewerage board, and leaves them no discretionary power whatever. We maintain these boards at a great expense, to administer the work of their departments; and they should have authority to pay such wages as the conditions call for. Not only is this proposed legislation really injurious to the just cause of labor in itself, but it will prejudice the entire subject of wage legislation in the future.

It places an artificial price level on the value of a laborer's time and leaves absolutely out of account the relation between such labor and the labor of other classes of working people who must equally be maintained, directly or indirectly, by the public.

Legislation such as the present bill does not originate through humanitarian motives but solely through political considerations, and it can carry no positive justification on moral or humanitarian grounds.

If the legislature persists in yielding to the sort of pressure represented by this bill, then the public, in self defence, will be forced to withdraw from the present widespread movement toward the establishment of better wages in general wherever such wages can be properly justified, and no real progress will be made.

In my judgment, the present bill is hostile not only to the best interests of labor, but to that sound public policy which it is the function of the legislature and the executive to establish and support.

[To the honorable senate and house of representatives, May 9, 1913.]

I call your attention to the unsatisfactory condition of our laws respecting the punishment and control of drunkenness.

Under our system the same person may be recommitted from forty to fifty times to the same institution for being intoxicated.

Obviously, the ends of justice cannot be met by the imposition of so ineffectual a punishment that the person returns fifty times in succession to undergo the same repeated sentence.

In fact, a study of our methods of punishing inebriety in general leads to the conclusion that it is quite futile. The habitual and excessive use of liquor breaks down the power of the human will to a point where a court sentence has no effect to help the drunkard in regaining his self-control.

In such instances punishment therefore falls not upon the man himself, but upon his family. In an institution the inebriate is given the necessities of life, — food, clothing and shelter. But his family is unmercifully punished, being subjected to public disgrace and deprived of whatever earning capacity the drunkard may have possessed.

Under our present system almost no attempt can be made by the court to ascertain the causes of drunkenness. Proof that a man was drunk is the basis of the action of the court.

The court has no facilities for ascertaining the underlying causes in any instance, and it is not reasonable to expect that in the few minutes given to a case solely on the testimony of a policeman, and without the assistance of a physician, the court can ascertain the cause, or wisely decide what treatment is needed.

I am persuaded that the time has come to change our method of dealing with inebriety; and in this connection I request your consideration of the plan recently adopted by the city of New York under jurisdiction of a board of inebriety.

In 1910 the charter of greater New York was amended by the New York legislature in relation to the treatment of public intoxication and inebriety, — (see chapter 551, acts of 1910 of the state of New York). This act, which was accepted by the city in 1911, creates a board of inebriety which has general supervision of all cases of public intoxication. The New York legislature of 1911 furthermore extended the provisions of a similar act to other cities subject to their accepting it.

Under the general operation of this law in New York city and other communities which may establish boards of inebriety, the court having jurisdiction may dismiss the complaint upon receipt of a written request for release, and upon the receipt of a report from a probation officer of the board of inebriety favoring such release. Or the inebriate may be committed to the custody of the board of inebriety on an indeterminate sentence. The indeterminate sentences, under special conditions, may be for periods not exceeding six months, or, in other circumstances, not exceeding three years.

Furthermore, in case an inebriate has been in the custody of the board of inebriety, and the board has then applied to be released from his care and custody, the inebriate may be sentenced to a place of confinement in accordance with law.

The function of the board of inebriety is to give each case the precise sort of attention which seems most likely to effect a cure. Under its discretionary power, the board may parole the drunkard, place him on probation or release him, or it may send him to a farm colony maintained under the control of the board, where he is put to work and given proper medical and hygienic treatment.

The purpose of this policy is in general twofold. First, it recognizes that a criminal conviction for drunkenness constitutes a permanent handicap to the prisoner by publicly

disgracing him and his family and by cutting down his wage-earning status in the community. It therefore aims to avoid a criminal conviction in the case of those who have not become habitual drunkards and to offer them whatever moral strength may be conferred through the exercise of leniency.

Second, recognizing the futility of often repeated sentences for chronic inebriety, the board offers to the habitual drunkard an asylum for an indefinite period where he may be protected against his own weakness of will and where he may be given wholesome and productive employment.

If it be objected that this proposition entails too much expense, it should be noted that, whatever the expense may be, it is unlikely to equal the present economic loss to the community occasioned by the chronic destitution of the drunkard's family and by his repeated arrests, trials and imprisonments.

I am persuaded that we are at present making no progress whatever toward the control of drunkenness in Massachusetts. The number of arrests and convictions for drunkenness is on the increase. The entire system of handling these cases throughout the state leaves out of account the destitution of the inebriate's fanily.

I transmit herewith copies of the New York statute under which the board of inebriety in New York city operates. This board is at present constructing and equipping a farm colony of eight hundred acres in Orange county, with accommodations for five hundred inmates.

It should be noted that this New York system was initiated as a result of the policy of Massachusetts in inaugurating the Norfolk hospital for dipsomanics. The New York system, however, in addition to providing a hospital, has largely taken over the functions of the judge in determining the disposition of the drunkard's case. I think the time has come when we should proceed further along the same line.

It is impossible for the judge to follow personally and in detail the future course of all the cases of drunkenness which come before him. The sentences which he imposes must therefore be more or less arbitrary and perfunctory.

A board of inebriety, on the other hand, may be so constituted and equipped that it can keep closely in touch with the individual cases and release them when in its judgment they are fit to be restored to the community.

This is a logical and helpful application of the general principle of the indeterminate sentence, which we have not

thus far succeeded in applying advantageously in this commonwealth.

It will be noted that the New York system makes the municipality the unit in dealing with this problem, and leaves it optional with cities and towns to adopt the new method or not. I believe the Massachusetts view of problems of this kind is wiser — that the entire state has an interest in men of this class, and should provide whatever treatment is necessary, no matter where they live. Only in this way can uniformity, and the use of the best methods, be secured.

Inasmuch as the questions involved in this undertaking are far reaching and will necessitate prolonged study, I recommend legislation authorizing the appointment of an unpaid commission to report its recommendations to the next general court upon the subject-matter of this message, and I submit herewith a draft of a resolve to this effect.

[To the honorable senate and house of representatives, May 9, 1913.]

Herewith I return without my approval, senate bill 376, being An Act to provide for an additional water supply for the town of Brookline.

Under separate cover I am returning, with an accompanying message, senate bill 468, to provide for an additional water supply for the city of Newton.

My objections to both bills are substantially identical.

The metropolitan water system was established in the expectation that it would be used by the towns and cities which constitute our metropolitan district. In order to provide an adequate supply for this purpose reservoirs have been established at great distances from the metropolitan centre and the cost of aqueducts and other equipment has been correspondingly large. In fact the system has cost up to date over $42,000,000.

Similarly, the legislature has created a large number of important and costly metropolitan improvements, not exclusively for the benefit of Boston but for the benefit of the entire metropolitan district. There is a marked tendency among some of the smaller communities within this general territory to evade their just share of this metropolitan expense.

For example, we find the city of Boston maintaining, mainly for the benefit of the suburban towns and cities, an expensive system of transportation, including tunnel and subway construction.

Thus the tax rate of our principal city is unduly increased and our prosperous suburban communities, which are still further enriched by their ready access to Boston, are in some instances benefited unjustly by their failure to share in the expenses of these metropolitan improvements which are among the principal sources of their wealth.

In respect to the metropolitan water system, there are now several towns, notably Dedham, Brookline, Newton, Cambridge and Waltham, which are obtaining from the Charles river watershed for their own uses a supply of water independent of the metropolitan service.

These pending bills, if approved, would authorize the town of Brookline and the city of Newton to abstract from the Charles river watershed three million gallons of water a day in addition to their present supply, and to obtain this water at the expense of the Charles river district, at a cost considerably less than the cost of the metropolitan service.

If in the present instance Brookline and Newton were to obtain their supplies of water exclusively from the metropolitan service, they would jointly pay toward the maintenance of that service an assessment of about $143,000 a year; and it is estimated that at least $100,000 of this assessment would represent a net gain to the remainder of the district, and would to this extent relieve the assessment throughout the district, inasmuch as these communities are wealthy and the assessment which they would be called upon to pay is based in part upon the relative assessed values of the communities which participate in the metropolitan service.

These bills, therefore, propose to grant to the town of Brookline and the city of Newton special benefits which, however, the remainder of the metropolitan district must pay for through the failure of these communities to participate equitably in the metropolitan assessment.

I can see no justification whatever for these proposed bills and others of similar character, by which local communities are authorized to draw for their special benefit from the rivers which are common to the whole metropolitan district.

It would seem as if whatever water supply is properly available from the Charles river should be utilized for the general benefit of the entire metropolitan section and not abstracted for the particular benefit of any one of the local communities.

Again, the metropolitan district has constructed, at great expense, the so-called Charles river marine park or basin,

and it is becoming a serious engineering problem to obtain from the Charles river an adequate supply of water to maintain this marine reservation.

At the present time Brookline and Newton possess legislative authority to abstract from the Charles river watershed five million gallons of water each per diem, without the payment of one cent of tribute for this special favor. In each instance the average daily consumption of water abstracted from the Charles river region is in the neighborhood of two and a half million gallons and the bill now in question (S. 376), providing an additional daily supply of three million gallons, is requested only for the purpose of enabling the town of Brookline to maintain its daily supply of water throughout the summer months, when the daily consumption greatly exceeds the average of the year.

However, in this instance, as in the case of Newton, the extra requirements of the summer months could be met just as well by constructing additional local storage reservoirs, to be filled during the season of abundant flow and utilized through the drier months of the summer.

To avoid this perfectly just local expenditure, Brookline is asking the legislature to make it a further grant of water from the general water sources within the metropolitan district and thus enable it to render itself still more independent of the metropolitan water system.

The withdrawal of water from the Charles river has been repeatedly authorized by the legislature for the special benefit of some community which seeks to avoid meeting its due share of the metropolitan expenditures, and the total daily amounts of water which the local communities are now authorized by law to withdraw from the river are as follows: —

Dedham,	1,500,000 gallons.
Brookline,	5,000,000 gallons.
Newton,	5,000,000 gallons.
Cambridge,	2,400,000 gallons.
Waltham,	5,000,000 gallons.

The total of these items is 18,900,000 gallons a day, and the actual quantity which is now being drawn by these communities from the Charles river region is nearly 12,000,000 gallons per day. I find by referring to the engineers' reports that during certain dry seasons the remaining water in the Charles river, as measured over the dam at Waltham, may

fall to 1.3 million gallons per day. While this abstraction of water may not be a serious matter under normal conditions and while in fact it is stated that it does not normally affect the water levels in the lower regions of the Charles river, there can be no question whatever that in a season of drought, when the abstraction of water reaches its maximum, the Charles river bed is far too largely uncovered, and that unwholesome conditions are engendered. In my judgment this practice has now reached dangerous proportions.

The question has repeatedly come before the Massachusetts legislature; and in 1910, under resolve No. 101 of that year, the Metropolitan park commission was requested to investigate and report upon the general problem of improving the sanitary and healthful condition of the Charles river. This action was authorized in response to a petition signed by the mayor of Newton and the mayor of Waltham, in which it was asked that the Metropolitan park commission should take by eminent domain or acquire by agreement or otherwise such rights or easements as might be required in order to restore the river to a sanitary condition.

This report of the Metropolitan park commission was duly rendered to the legislature of 1911. The preliminary conclusions of the commission were:

> Whether viewed as to the effect of the sanitary condition of the river and the health of the public in cities and towns along the river, or as to the convenience and health of those who use the river for recreation, it appears that the changes of water level which take place each year in Charles river are unsatisfactory and seemingly dangerous. The only facts which need to be stated to warrant this conclusion are the apparent ones of the alternating flooding and exposing of mud flats; the gradual increase in size of these areas, as vegetation forms upon them; the obstruction of the channel, to the extent of leaving only small ponds in some portions of the river during the dry season of each year; the increase of mosquitoes, which annoy and probably disseminate disease; and the odors, which, whether injurious to health or not, are very obnoxious. In all these respects the condition of the river appears to have grown worse in the past few years.
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> These bad conditions extend over the entire portion of the river between the lower dam and Watertown and Newton Upper Falls, and are aggravated by more or less impure or unsightly discharges from mills and drains and street wash outlets into the river.
>
> Dredging and filling will improve the conditions, but will not fully remedy them unless extended along the entire river according to a plan prepared to provide for deep channels with banks free from mud and vegetation, together with some regulation against artificial lowering of the water level at certain seasons of the year, and against befouling the river by noxious discharges into it.

These recommendations, however, were carried over and the legislature of 1911 referred the whole matter to the legislature of 1912.

The board has asked for authority and appropriations to provide for dredging, to regulate the discharges into the river, and to regulate the present withdrawal for local purposes.

In this connection it is fair to state that the condition of the Charles river above Waltham is very largely controlled by the Boston Manufacturing Company and its subsidiary concerns, this corporation maintaining a dam at Waltham and being enabled at present, under an old mill act, to draw off the water from the upper portions of the river for power purposes and also to furnish a supply of water to the bleachery which it operates further down the stream.

The power of this corporation is such at present that it is able to secure damages from towns and cities which abstract water from the river; and it would be highly desirable, in my judgment, to restore this water power to the commonwealth under the right of eminent domain.

Such water power as might properly be supplied to this or other companies could then be leased by the commonwealth, with the stipulation that the water levels in the river should be maintained as required by sanitary conditions. Such leasing of the water supply might also very properly embody provisions prohibiting the pollution of the stream through chemicals or other agencies.

I believe this step should be taken before any further abstraction of water from the river is permitted. The Charles river, like any other stream in the commonwealth, is primarily a natural resource common to the public; and the value of this public resource should not be diminished in favor of any special or particular interest, whether a corporation or a community.

I am strengthened in my conclusion by the declaration of our public authorities concerned, that both Brookline and Newton have ready access at present to the mains of the metropolitan water system; that the water thus obtainable is pure; and that no hardship whatever will be occasioned by the requirement that no further abstractions of water from the Charles river shall be permitted.

[To the honorable senate and house of representatives, May 9, 1913.]

Herewith I return without my approval senate bill 468, being An Act to provide for an additional water supply for the city of Newton.

My objections to this act are identical to those expressed in my veto message of this date on senate bill 376 in relation to the water supply of the town of Brookline, a copy of which[1] is attached hereto.

[To the honorable senate and house of representatives, May 22, 1913.]

Herewith I return without my approval senate bill 415, being An Act relative to the issue of stock and bonds by electric light and power companies and to the issue of preferred stock by certain corporations.

Chapter 725 of the acts of 1912, Part II, section 4, provided that railroad corporations might issue bonds to the amount of twice their paid in capital, provided that such bonds are secured by a mortgage.

The present bill grants this right to electric light and power companies, but sweeps away the provision concerning mortgages. The bill says that such companies may issue mortgages, but does not obligate them to do so.

The practical effect of the bill is therefore a declaration by the Massachusetts legislature that these public service corporations may bond their property to twice the amount of the capital, and to twice the amount now allowed by our laws, but without the safeguard of a mortgage.

The second section of the bill, by the use of the word "twice" after the words "exceeding at any time", enlarges the power to issue preferred stock until it may be double the common stock. The existing law, which is to be found in section one of chapter 441 of the acts of 1902, allowed the issue of preferred stock only up to the amount of the par value of the common. The provision for preferred stock was new in our law in 1902. There was an earlier provision existing since 1870 providing for what was called "special stock" which, however, could only be issued under certain very carefully prescribed restrictions. While the act of 1902 allowed preferred stock to an amount equal with the common, this section allows preferred stock to twice the amount of the common. For an illustration of the effect of the two sections thus far described, it may be noted that a corporation desiring to issue $900,000 of securities might divide them into bonds $600,000; preferred stock $200,000; common stock, $100,000. The title of the bill, which mentions only electric light and power companies as affected by the act, is also to some extent misleading, since all compa-

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[1] See Senate 531.

nies acquiring any rights in the streets, such as the street railways, come within its provisions.

Section 3 of the bill changes radically the law as now fixed by section 58 of chapter 110 of the revised laws. Sections 58 and 59 impose a contingent liability for the debts and contracts of the corporation upon the president and directors when the "debts exceed its capital"; upon the president, directors and treasurer when the property conveyed in payment of stock is "not taken at a fair valuation"; upon the president, directors and other officers for the "debts contracted before the original capital has been fully paid in"; upon the stockholders or members of the corporation for "debts contracted before the original capital is fully paid in"; where "special stock" is created "until the special stock shall have been fully redeemed" and "for all money due the operatives for services rendered within six months before demand made upon the corporation and its neglect or refusal to make payment." Section 3 of this bill provides that all of the statutory liabilities above cited of section 58 may be defeated by covering the debts described by a mortgage or pledge "of all or any part of the property of the corporation," and such a course is absolutely and without limitation in the power of the corporation.

There is probably no restriction at common law upon the power of a corporation to mortgage a portion of its property. There may be some question as to the right and propriety in mortgaging all of its property, especially corporations of this class referred to in the bill, but the requirements of section 58 may be entirely defeated by a mortgage of even a portion and it may be a small portion of the company's property, respecting which its right to mortgage may be unquestionable. The original necessity for section 12 of chapter 121, expressly permitting a mortgage and providing for the rights of the mortgagee, was solely for the purpose of enabling the corporation to mortgage all of its property and its franchise. The limitation of bonds in section one of the bill to twice the capital stock applies to bonds only, while section three now under discussion includes obligations of all other kinds. There is no restriction in the existing law nor in the present bill upon the amount of such obligations, except that which may be indirectly due to the contingent liability which section 58 imposes and which it is now proposed by this bill to virtually repeal.

The policy of the commonwealth toward its public service corporations, in view of the fact that they are so largely and

essentially monopolies, has been one of conservatism in respect to the issue of their securities, recognizing the importance of such restrictions to the interests of the customers of such companies, as well as of the investors whose money makes possible the existence of such companies and the extension of their facilities.

One purpose of the existing limitation upon the amount of bonds and preferred stock was undoubtedly to secure for the corporation the benefits resulting from the active interest of those possessing a substantial share in the securities of the company. Bondholders have no voting power, preferred stockholders frequently have none, that power being usually vested in holders of the common stock only, who, however, under this bill may have in all not more than approximately a ten per cent interest in the property. A larger interest responsible for the actual management of the property would undoubtedly tend to increase security for all classes of the company's investors. Control by a small interest invites more to stock speculation and corporate manipulation than to economical operation and management.

It is fair to say that nothing has yet occurred to indicate a need by existing gas or electric light companies for abandoning the limitation in the present law. With rare exceptions, these companies are financed under existing laws by the issue of a single class of stock and not at all by bonds, nor are they likely to need such legislation for the promotion of the public interest, unless hereafter, through mismanagement or the issue of an undue burden of securities, their stock issuing credit shall become seriously impaired. The aggregate capital stock of the gas companies in this state is now $36,426,283, but they have only $1,644,000 bonds. The aggregate capital stock of the electric lighting companies is $26,647,250, but they have only $2,957,200 of bonds outstanding.

It will not answer my objections to say that these new issues are contingent upon the approval of the gas and electric light commissioners. The bill makes no such provision, and even if it be held that our existing law to this end will still be binding, even so, the legislature, having now declared for the general principle of issuing twice the amount of bonds now allowed, cannot look to other public agencies to nullify its provisions and ignore its declaration of a perverted policy, when once that policy has become spread upon our statutes.

The bonds and stocks of our present electric light and power companies have been issued upon a conservative basis and are regarded as high class securities. They have been bought by trustees and individuals upon the assumption that the commonwealth would protect their intrinsic value and not permit it to be diminished through any wild cat scheme of financeering.

If our public service corporations are now to receive permission to swell their bond issues in some instances to double or more than double the present amount, then all outstanding issues of stock and bonds must suffer proportionately; and these securities, which have until now been held in high estimation, will depreciate.

Thus Massachusetts, now holding a most honorable position as regards the securities of her corporations, would stand as sponsor for a policy of inflated and insecure financeering. Moreover, these present securities, being sound, are saleable at a low rate of interest. This interest is paid out of earnings and these are contributed by the public. Therefore the public is vitally concerned to keep these securities sound, and their interest rate low, so that the burden of interest charges borne by the public shall be low.

If you now weaken the securities of these corporations by permitting inflated issues of imperfectly secured bonds, then these bonds will not be saleable at a low interest rate and a higher interest rate must be guaranteed. The interest charges will immediately increase, and the public must contribute them through increased rates and poorer service.

I have watched with amazement the complacency with which this legislature has favored several schemes of this same character; and the final enactment of this bill (the first of its class to reach me) bodes ill for the financial future of this commonwealth, unless the people succeed in holding their representatives to a higher ideal of public duty.

If the legislature is acting under the impression that this policy can be foisted upon the state, then it greatly underestimates the intelligence and the temper of the people of Massachusetts.

[To the honorable senate and house of representatives, May 23, 1913.]

Herewith I transmit a letter dated May 21, 1913, from acting secretary of war Breckenridge, and enclosing the draft of a bill, which I also transmit herewith, to approve the purchase by the United States of the island in Boston

harbor known as Outer Brewster island and to cede jurisdiction over the same to the national government.

Such approval and cession are requested in order that Outer Brewster island may be utilized for the purposes of national defence.

In the draft of the bill which the acting secretary of war has submitted, the condition is expressed that the commonwealth shall retain a concurrent jurisdiction with the United States in and over the island so purchased, so far as that all civil processes and such criminal processes as may be issued under the authority of the commonwealth against any person or persons charged with crimes committed without the said island may be executed therein in the same manner as though this cession had not been granted.

I accordingly urge upon the legislature the advisability of prompt and effective co-operation with the federal government in this matter.

WAR DEPARTMENT, WASHINGTON, May 21, 1913.

His Excellency the Governor of Massachusetts.

SIR: — I have the honor to enclose herewith draft of an act granting the consent of the commonwealth of Massachusetts to the purchase by the United States of the island in Boston harbor known as Outer Brewster island, for the purposes of national defence, and ceding jurisdiction over the same; and respectfully request that you will submit said draft to the general court of the commonwealth and use your good offices to secure the passage of the act by the legislature during its present session.

Very respectfully,

HENRY BRECKENRIDGE,
Acting Secretary of War.

[To the honorable senate and house of representatives, May 27, 1913.]

On January first, 1906, the net direct debt of the commonwealth was $14,215,765, and the net contingent debt was $59,301,763, or a total of $73,517,528. On May first, 1913, the net direct debt was $25,152,894 and the net contingent debt was $58,624,481 or a total of $83,777,375. Thus in a period of 7 years and 4 months the net debt of both kinds increased $10,259,847. Of this amount $4,547,122 was incurred between December 1, 1912, and May 1, 1913. In addition to this three measures now before the general court call for bond issues aggregating $8,500,000 to be made during the next five years.

For the year 1905 the actual running expenses of the state government were $9,619,715 and the state tax was $4,000,000. For the year 1912 the actual running expenses were $15,762,799 and the state tax was $6,250,000. For the year 1913 the actual running expenses bid fair to be some $18,000,000 and the state tax will be nearly or quite $8,000,000. In the year 1905 the cities and towns raised by taxation $57,476,660; in 1912 this amount had become $74,552,306; in 1913 it is likely to be at least $77,000,000.

The enormous and rapid increase in municipal and state expenditures is in response to the increasing demand of society that new and increasing functions be performed by government. The care of the sick and defective, the safeguarding of the public health, the development of our industrial possibilities, the amplification of our educational activities, the granting of pensions to public employees and to certain classes of private citizens, — these and many other matters have in the last few years called for the expenditure of increasing amounts of public money or are now engaging the attention of those concerned with the improvement of social welfare and social justice and are likely in the near future to secure appropriations from public funds. There is in the air an increasing demand for more and greater governmental control and action.

In responding to this demand of the people the legislature is but reflecting and performing the will of a large part of the body politic. And yet during the past few years no new source of public revenue has been discovered except the direct inheritance tax enacted in 1907. Always eager to spend money at the request of its constituents, the general court has been strangely inactive in trying to provide revenue to pay its bills and in endeavoring to improve a revenue system long ago outgrown and a method of taxation designed for a simply organized society with few needs and small appropriations. While our expenditures have been increasing with almost unparalleled rapidity we have been content that they shall be met by bond issues or by increases in that most easy and inequitable source of revenue, the state tax.

Of the $75,000,000 raised by taxation by the cities and towns in 1912, practically all was raised by the general property tax under the rule of proportionality laid down in a constitution first adopted more than one hundred years ago and unchanged since its adoption. In criticism of the general property tax as a method for raising such amounts of revenue

too much cannot be said. Whatever its virtues for a society with small needs whose forms of property were few and with difficulty concealed, this method of taxation results in the greatest inequality and injustice in social and economic conditions such as exist in this commonwealth at the present time. Tax rates in Massachusetts cities and towns vary from as low as three dollars to as high as $28.30 per thousand of valuation. The change of residence of the wealthy from a town having a high tax rate to another town having a low tax rate is notorious. I am informed that one town is likely to have no tax levy at all in 1913. Whether or not this proves to be the fact, it is entirely easy for large property holders to so arrange their legal domicile as to contribute but scantily to the public revenue. In replying to an order of the house of representatives passed on March 12, 1913, the tax commissioner estimates that over $4,500,000,000 of taxable personal property of residents of the commonwealth escapes taxation, and he states that during the last five years various recommendations for legislation looking to improvement in the administration of our tax laws have been summarily rejected by the general court. In fact, the legislative record shows that on the very day this reply was received from the tax commissioner the house of representatives rejected a recommendation of that official for legislation empowering him to secure information necessary for impartial administration of the inheritance tax law, — legislation giving to him only such power as is possessed by tax officials of other states. Besides the recommendations of the tax commissioner designed to improve the administration of our present tax system there have been presented to the general court during the last half dozen years recommendations for a modification of the constitution itself. The constitutional amendments proposed have varied all the way from a broad provision which would leave the general court unhampered in tax legislation to such narrow change as would make it possible to establish a partial income tax. But whatever the character of the changes proposed, all alike have been rejected. Thus the general court has put itself in the position of refusing to provide for an improved administration of our present system or of changing our fundamental system and establishing in its place a method of taxation which can be enforced and which when enforced will more equitably distribute the cost of our municipal and state governments.

About the failure of the working of the general property

tax under the constitutional rule of proportionality there is and can be no great difference of opinion. Those who conscientiously, but mistakenly, I believe, hold that reform should be by improvement of administration of our present system and those who, with a wiser and truer vision maintain that the solution of our difficulties is by securing fundamental changes, — both and all refuse to give even a partial defense to our present revenue laws as they are administered. The essential facts as to the operation of the general property tax have been often stated and ought to be well known to every intelligent citizen of the commonwealth. The situation as set forth in the report of the tax commission of 1897 has not been improved. The evidence is overwhelming that the inequalities then found to exist continue at the present time. We still have the favored towns with low tax rates to which go men of wealth that their taxes may be small. Information reaching the tax commissioner in the administration of the inheritance tax laws shows numerous cases in which personal property has been successfully concealed from the assessors for many years. Cases are not infrequent where by the gift of a school or library a family of wealth has practically bought tax exemption and has secured a reputation for liberality, — a reputation bought and paid for by those whose property has been fully assessed. The evidence submitted to the joint special committee on municipal finance which reported to the general court this year led that committee to conclude that in very many communities property is not viewed and newly valued every year, that there have been attempts to make low valuations for the purpose of reducing the town's proportion of the state and county taxes, that by low assessments property and industries have been invited to locate in the towns or when once there not to remove, and that assessors have done much less than their full and honest duty because of fear of political punishment. These facts show a situation the like of which would not be tolerated in any large industrial corporation. In the investigations of the past few years into the affairs of insurance companies, railroad corporations and industrial businesses conditions have been found to warrant the resentment and disgust of right thinking people; but I submit that conditions existing in our own revenue system and known to the general court for years are as bad as any discovered in private business. And yet aside from giving a little advisory power to the tax commissioner no remedial legislation has been

enacted. We have seen public expenditures increasing enormously, we have seen billions of property escaping all assessment, we have seen towns jockeying to avoid fair contributions to the state and county taxes, we have seen the rise and success of "tax dodgers' retreats," we have seen the increasing burdens of government increasingly borne by people of small means and yet we have done practically nothing to alleviate these conditions by any improvement of our present tax code and its administration. The least that should have been done was to strengthen the administration of our present system for the raising of public revenues and to secure some improved method for the distribution of the franchise taxes of public service corporations to the end that the rich towns shall not thereby be further enriched. A rapidly increasing state tax serves to increase the bad effects of the inequalities of assessments in the different towns. The larger state tax is, like the municipal taxes, levied on only a part of the taxable property. Thus it becomes an added burden upon those least able to bear it. This year for the first time the tax commissioner has had and has exercised authority to equalize municipal assessments in establishing the basis for the state and county taxes. He has added some $300,000,000 of property values to the different towns. He reports to me, however, that this amount is entirely inadequate and that it will always be true as it has proven true in other states, that no public official can adequately correct the inequalities of local assessment. The state tax is levied to meet the appropriations of the legislature over and above the revenue of the state derived largely from the taxation of corporations and legacies. In a state as wealthy as is Massachusetts there ought to be no state tax, at least when the assessment of property is so inequitably made. The revenues of the commonwealth ought to be large enough to pay the bills of the commonwealth without resorting to so unscientific and unfair a source as a state tax is and must be.

However, such improvements as can be made in our present revenue system without changing its fundamental character will, in my judgment, prove to be entirely inadequate for the permanent improvement of our condition. The states of the Union which have passed the most searching tax laws and have established the most inquisitorial administration for their enforcement under the rule of proportionality have utterly failed to secure the adequate taxation of personal property. Their experience as well as the investigations and

conclusions of economic students and writers show beyond a doubt that different classes of property must be differently taxed, that their assessment must have some reasonable relation to the income they produce and that no revenue system ought to continue on the statute books which cannot be evenly applied to all persons and to all property. We need a constitutional amendment in order that to a greater or less degree the general court may from time to time diverge from the rule of proportionality and may fit the tax laws to such economic and industrial conditions as may exist.

But nearly all proposals for tax reform whether of statute or of constitution are summarily rejected by the general court which seems content to increase expenditures and to make no adequate provision therefor. Last week the house rejected a constitutional amendment under which the general court could have done much for the improvement of our taxing system. And at the same time the legislature is seriously considering the matter of changing our policy with reference to the capitalization of certain classes of corporations in such a way that our public revenues may be seriously depleted. Indeed one such measure has been already enacted and has been vetoed. In these measures it is proposed to allow the corporations to finance themselves by issuing increased amounts of bonds so that the relationship of bonds to stock shall be as two to one. So far as I am aware the effect of such legislation upon the matter of the taxes to be paid by these corporations has received no consideration. And yet the two matters are closely related. With reference to public service corporations it is true that only a part of their tangible property is taxed by the municipalities in which it is situated. Thus with railroads the rights of way, valued at scores of millions, are exempt from local taxation, as are the rails and structures thereon, and the rolling stock. In the case of corporations having tracks, conduits or pole lines in the public streets some of this property is taxed by the towns and some of it is exempted from taxation. But in no case is the municipality empowered to tax the corporation for the valuable rights granted to it to carry on its business. This is as it should be, — I do not suggest that to the municipalities should be given power to tax franchise values. These franchise values have been and should continue to be taxed by the commonwealth herself. The method by which they have been taxed for nearly fifty years is called corporate excess taxation. The full value of the outstanding stock has

been the measure of the assessment; such part of the value as has not been taxed by the municipalities under their limited powers has been taxed by the commonwealth. The bonds of the corporation from which have been derived perhaps fifty per cent of the capital of the corporation have not been considered in the determination of the value of the corporate franchise but have been taxable as personal property of the bond owner. Large amounts of these bonds are held by non-residents of the commonwealth and thus are beyond our reach for purposes of taxation; still larger amounts of them are owned by Massachusetts residents, but as is usually the case with securities, they are untaxed because undiscovered by the assessors. Outstanding bonds being an obligation of the corporation must be satisfied before the stock. By the issuance of the former the value of the latter is reduced. Thus when we have taxed corporate stock and have failed to tax corporate bonds either because of non-resident ownership or because of undiscovered resident ownership, we may have by no means taxed a value as great as the value of the corporate property and privileges.

Our system of corporate franchise taxation has much to commend it, but the fact that it has many times produced handsome revenues ought not to blind us to the other and more significant fact that it is only partially adequate as a measure of taxation. So long as the bonded indebtedness of the corporation did not exceed the capital stock liability it has proved fairly satisfactory. Now it is proposed, however, to allow the corporations to secure increased proportions of their capital by the issuance of other than mortgage bonds, belonging to that class of securities which cannot or will not be taxed. The proceeds of these bonds will be invested largely in properties or valuable franchises in this commonwealth. The amounts are expected to be many millions. The properties thus acquired will be largely exempt from taxation by the towns, and since the stock of the corporations will not have been increased it will be impossible for the state to tax these values in the taxation of the franchise. In fact, since the bonds are a security senior to the stock, it may be reasonably expected that the present outstanding stock of at least some of the corporations will actually fall in value upon the issuance of more bonds. Thus while the properties and franchises of the corporations will have been enormously increased in value by the introduction of new capital the contributions of the corporations to the public revenues will

have increased little if any and probably will have actually diminished. The significance of this fact cannot be overestimated. While apparently it has not been considered by the general court, he would be rash indeed who hazarded the opinion that its full meaning had escaped the attention of the beneficiaries of this proposed legislation. The conclusion is inevitable that in its continued failure to enact remedial tax legislation and constitutional reform, the general court has neglected public business of the gravest import. Evidence is accumulating that in devising this new method of corporate capitalization, the general court has been devoting itself to the interests and cunningly devised plans of certain enterprises which have already flaunted the authority of the commonwealth and are now planning to escape just contribution to her treasury.

I cannot believe that the people of the commonwealth approve. It is inconceivable that a majority or even a respectable minority of our citizens desire neglect of matters vitally affecting the whole scheme of municipal and state finance and just taxation and at the same time will approve of any action which will grant enormous privileges to any public service corporations attended with what amounts to exemption from commensurate taxation. The line between the welfare of the whole body politic and the advantage of certain classes of corporations appears to be clearly drawn. Devotion to the one will receive the hearty approval of the right thinking; the serving of the other will meet vigorous condemnation.

Therefore I suggest the drafting and approval of a constitutional amendment which will make it possible for the general court to establish kinds and methods of taxation which are now beyond its power to enact. It will be at least two years before such an amendment can become effective and laws enacted under its provisions.

Therefore, I suggest further that there be immediately enacted laws that will give to the tax commissioner the power he needs for the impartial administration of the laws committed to him and of other laws which shall secure by the local assessors a fuller assessment of all classes of taxable property.

And, further, to decrease the injustice as between towns occasioned by so large a state tax as now impends, I suggest the immediate passage of legislation which shall cause the commonwealth to retain the franchise taxes paid in this and

succeeding years by the railroads, telephone and telegraph companies, trust companies and gas and electric light companies. In these directions lies the duty for the performance of which the people have sent their representatives. Private interests with their selfish desires may wait, but the public weal ought not to be further postponed.

[To the honorable senate and house of representatives, May 28, 1913.]

Herewith I return without my approval An Act to establish the salaries of the firemen and helpers in the state house, providing for a substantial increase of pay in these instances.

I desire to see all public employees in Massachusetts receive the highest rate of wages consistent with the standards of the commonwealth and the conditions of their several duties; but I have repeatedly called public attention to the public wrong which is done when a scale of wages is established arbitrarily and at an artificially high level.

In this instance the public is asked to donate an appropriation on behalf of firemen and helpers in the power plant of the state house, notwithstanding the fact that the cost of power per horse power hour per year in the state house is at present $222 and that for average service in business concerns the cost of this power unit is only from $35 to $40. Even under exceptional conditions, with the power plant of an industrial or business concern or an office building running twenty-four hours a day, the cost of this unit does not ordinarily exceed $85.

This fact was very clearly established on authentic engineering data supplied to the governor and council and transmitted by me to the legislature on April 26, 1911. (See pages 1187–9, acts and resolves of 1911.)

At that time it was found that the firemen were doing only one half the amount of duty required in good business practice. And yet the legislature is willing to authorize an increase of expenditure in this department.

I am convinced that no attempt is made to operate the state house in a businesslike or economical manner; and I repeat what I said in the paper referred to, that this is no fault of the sergeant-at-arms but of a vicious system which persists in regarding public office as a means of paying political debts, in engaging more men than are required to operate the public works and therefore cutting down the duties expected of each man in order that more men may be retained on the public pay roll.

Under date of June 23, 1911 (see page 1239, acts and resolves of 1911), I transmitted documents proving that a local electric corporation agreed to take over the operation of the electric light and power and steam heat now used in the state house, at a saving of $12,000 a year out of the present list of items comprising $50,000.

I believe that the entire cost of operating the state house, which amounts to $148,000 in the department of the sergeant-at-arms alone, can be cut down in a similar or even greater ratio by the state itself, if it will observe ordinary business principles.

On the date last referred to I submitted to the legislature a proposition that the Edison Company would share with the commonwealth equally the cost of making a detailed investigation to determine what further economies (in addition to the $12,000 guaranteed economy) might be conserved.

In the face of these facts, the legislature now stands ready, not to introduce the modern methods of business management which I advocated at that time, but to increase the boiler and engine room expenses which, as stated, on the basis of horse power hours are already from three to five times as large as they need to be.

I have repeatedly been required by my public duty to disapprove of measures of this same general character, which were evidently not based on business principles but actuated solely by political considerations.

I disapprove of them first of all in the interest of the workingman himself, who under our vicious tax system now bears the greater part of the burden of taxation thus imposed; and because I believe that neither the interests of the laborer nor the commonwealth can be conserved but that both will be injured by this species of profligacy.

[To the honorable senate and house of representatives, May 28, 1913.]

Herewith I return without my approval An Act to provide for reimbursing the town of Arlington for reasonable expenses incurred in the care of persons having no legal settlement who were infected with smallpox.

It appears that seven persons became afflicted with the smallpox in Arlington in January and February, 1912. The laws of the commonwealth required that the town of Arlington should immediately report these cases to the state board of health. In five of these seven cases the town of Arling-

ton failed to comply with this law, and thereby, under our statutes, forfeited its claim upon the commonwealth for reimbursement.

Moreover, chapter 380 of the acts of 1909 requires that in cases of aid rendered by cities and towns to persons afflicted with dangerous diseases proper notice and fair evidence of liability shall be given by the authorities claiming reimbursement to the state board of charity.

In these requirements also the town of Arlington failed.

Cases have frequently occurred in which towns and cities have forfeited their right to reimbursement through failure to meet the requirements of the state laws in these several respects; but I understand that never until the present instance has an act been passed setting aside the statutes in favor of any town or city which has thus failed of its duty.

In a recent decision of the attorney general, it is clearly shown that "nothing in the law is better settled than that statutes of the class affecting this question are to be strictly construed, and that the giving of the notice required by these statutes in proper form is a condition precedent to the right of reimbursement."

It is necessary for the protection of the public health that towns and cities be held rigidly to the observance of these laws; and it is my judgment that if they fail to comply therewith, the least that can be done in disavowal of their acts is to deny any petition which may result for the reimbursement of their expenses.

[To the honorable senate and house of representatives, May 29, 1913.]

Herewith I return without my approval house bill No. 2320, introduced on the petition of the American federation of labor, and being An Act relative to the use of the cinematograph and similar apparatus.

I call your attention earnestly to the following provisions of this measure: — first, that nobody shall operate certain moving picture apparatus without a first class license from the state police, nor obtain such a license without having first held a second class license; second, that nobody shall hold a second class license (giving the right to operate such an apparatus only in the presence of the holder of a first class license) unless he has been employed for six months as an assistant under the holder of a first class license; and third, that nobody can become an assistant within the mean-

ing of this section of the act except upon the endorsement of the holder of a first class license.

Persons who have operated such apparatus under a license previously issued by the state police may, under certain conditions, however, obtain a first class license, and this provision applies also to persons who have operated such apparatus outside the commonwealth for a period of six months, providing they pass the examination of the state police.

The significance of these provisions is very notable, and the underlying principle of this act, if approved and placed upon the statutes, will be revolutionary in respect to the industrial future of Massachusetts.

The bill declares that the vocation of operating moving picture machines in this state shall rest only in the hands of persons now eligible to operate them under our laws or of other persons whom they shall specify and definitely nominate and select. The exception noted allows persons from other states to come here and operate machines without having subscribed to the terms of this bill; and conversely it will compel citizens of this state, desiring to enter this line of work but unable to secure permission from those now engaged in it, to go to some other state.

I trust that the attention of the legislature will be again given, with deep and earnest study, to the provisions of this bill, and that the entire public of the commonwealth will also take immediate cognizance thereof.

The constitution of Massachusetts declares in its preamble that the end of government, in its institution, its maintenance and its administration, is to furnish the individuals who compose it with the power of enjoying in safety and tranquility their natural rights.

In this bill the policy of the commonwealth would be turned directly counter to the fundamental principles of personal liberty and equality of opportunity which are the safeguards of the state, and which it is our duty to maintain.

If this bill becomes a law, then, no man can possess the right to the particular means of livelihood involved unless he first secures the permission of the men already qualified and engaged in such occupation.

This is precisely as if the bill should say that no one could become a farmer in Massachusetts without first securing the permission of other farmers, or that no one could operate a store without the permission of other merchants;

or earn his living as a machinist without the permission of organized machinists.

In so far as the bill provides that nobody shall operate a particular and dangerous class of apparatus unless duly certified thereto by the state police, I am in sympathy with it. In fact our existing laws contain this requirement. In so far as the bill requires that nobody shall operate such a machine without the additional sanction of those already interested in this particular business, I am unalterably opposed to it.

The bill, in my judgment, is a dangerous piece of legislation, for if we recognize this principle in legislation then it will undoubtedly form a basis for other repressive measures, vastly greater in their scope.

[To the honorable senate and house of representatives, June 3, 1913.]

Herewith I return without my approval senate bill No. 540, being An Act to provide a tenure of service for certain teachers in the public schools.

The public schools of Massachusetts have reached their present remarkable development under a system which has received concrete expression in chapter 43 of the revised laws.

Under this chapter teachers are in general elected by the local school committees. This law places the school committee in a position of responsibility and power. Its most important duty consists in the selection of competent teachers, in order to maintain the schools at the highest obtainable point of efficiency. For this purpose also teachers may be dismissed from employment by the committee.

In short, the efficiency of our teaching force is maintained, and must be maintained, by a sort of weeding out process, whereby teachers whose usefulness has diminished may be promptly eliminated.

In substance, the proposed bill now provides that five years of consecutive employment of any teacher by the school committee of a city or town shall establish his right to continued employment during good behaviour and efficiency, and prohibits his removal until charges have been preferred and a hearing given.

This bill will make it practically impossible for a school committee to dismiss a teacher who has completed five years of service. Inasmuch as a teacher under this bill cannot be

discharged except on certain rigidly defined lines, it is obvious that the gradual letting down of his efficiency will not lead to his dismissal, because this sort of personal deterioration is insidious and cannot be expressed in technical charges supported by affidavits, such as would hold in a case at law.

A teacher will, therefore, be virtually assured of permanent employment, and his incentive to keep himself thoroughly abreast of the latest advances in his profession will be lost.

I am advised by the highest authorities in our educational field that this bill, if approved, will accomplish a distinct demoralization of the school system in certain towns and cities of the state. School committees are elected for the purpose of administering a school system; but under this bill their subordinates, the teachers themselves, would be rendered very largely independent of the committee; for only in extreme cases would formal charges be drawn up as required by this bill, in the event of a teacher's inefficiency becoming marked.

I realize that this bill is in a way an application of the principles of civil service to our public schools. With the fundamental purpose of the civil service I am in sympathy. One of its principal provisions is to prevent the removal of public servants for political reasons. But the effect of this bill would be to maintain in the public service persons who had become inefficient, but against whom a presentation of formal charges would be difficult if not impracticable. In fact the basic weakness of the civil service at its best is its tendency to protect the inefficient when once vested with office; and I would not favor the extension of the civil service principle, especially to our public schools, until it had been rendered more adaptable to the practical requirements of the public service.

I call attention also to section 8, which provides that the question of accepting or rejecting this measure shall be placed before the people of the various towns and cities on the ballot, but the form of the question is merely as follows:

Shall an act to provide a tenure of service for certain teachers in the public schools be accepted?

No definition is to be given of the act; no information in regard to its terms and conditions is submitted to the voter. A referendum of this kind is vicious for it acts only in one way. It enables a very small minority who are personally interested in a measure to secure its acceptance at the polls,

inasmuch as those who are not in touch with its provisions naturally omit to vote.

Such a referendum, to be effective, should provide that every voter shall have before him the full text of the measure to be voted upon, even if this plan necessitates the mailing of such document to every individual voter in the community, or its official distribution in any other practicable way. I have called attention before to the fact that a referendum ballot, unaccompanied by explicit explanations as to the meaning and results of the ballot, is not a proper use to make of the principle of the referendum.

[To the honorable senate and house of representatives, June 9, 1913.]

Herewith I return without my approval An Act to require the labeling of receptacles containing pasteurized milk and milk produced outside the commonwealth.

This bill provides that milk which is imported into Massachusetts from other states for consumption in this state shall be marked with the words "Out of State." Furthermore, all milk "pasteurized" and sold must be marked "Pasteurized."

Among the reasons urged in favor of this bill are: —

1. "Out of State" milk is in general produced at points further distant from Massachusetts markets than milk produced within the state.

2. Fresh, pure milk being a necessity for infants, and purity diminishing rapidly with the age of the milk, it is said that the consumers should be able to see on the label whether or not the milk is produced within Massachusetts or at points presumably more distant than if produced within the commonwealth.

3. In respect to the process of pasteurizing, the advocates of the bill desire to have all milk which has been treated by heating as a means of killing its contained bacterial life, marked with an appropriate designation, inasmuch as many people believe that milk not thus treated is more desirable.

4. Under our unjust and discriminatory railroad system, milk is now shipped into Massachusetts from distant points outside the state, and delivered in Massachusetts at lower rates than are charged in some instances against the farmers of this state.

I appreciate fully the importance of all these arguments. I am willing and in fact anxious to do all that can be done in fairness to foster the agricultural interests of Massachu-

setts; and to do all that can properly be done to protect the public health of this commonwealth.

I have accordingly given to this bill the most careful consideration; but I find arrayed against it a consensus of sentiment not only on the part of the public and the milk producers themselves, but of health officials and others who have given protracted study to the subject of milk supply and regulation.

Moreover, my own judgment is that the bill is bad. Not only is it grossly unfair for Massachusetts to discriminate against the producers in other New England states, but if she takes this step, then she must expect the immediate establishment of severe reprisals. Massachusetts products which are exported into other states will be discriminated against in retaliation for this measure, and in the long run this policy, which in itself is reprehensible, will prove injurious to the state and to the agricultural producers within this commonwealth.

I find that all the arguments urged in favor of this bill can be met by proper regulations, either state or local. If the milk supply of any community is not satisfactory, that community is at liberty to make, and should make, regulations to meet the situation. This is done with notable success in Boston, and similar measures should be taken by other large communities in Massachusetts. The Boston board of health sends its inspectors to all points from which milk is shipped into Boston, whether out of the state or within; and milk cannot be sold unless produced under conditions acceptable to the Boston board of health, transported in a manner to maintain its purity and freshness, and sold in establishments which are made to conform to all necessary hygienic requirements.

New England is, geographically, historically and in all human interests, a unit. Our legislation should be so drafted as to conserve this essential unity. Measures such as the present bill, which tend to break up this unity, are essentially vicious. Even if the bill would not result in the establishment of reprisals by the other states, Massachusetts should not be the first to set up measures hostile to her neighboring states. The obligation of maintaining this New England unity rests most of all upon Massachusetts, for in Boston we have the common metropolitan centre of the entire New England region. If we now erect barriers against the freedom of interstate commerce, we must expect to see Bos-

ton lose her metropolitan character in respect to New England, and to see Massachusetts also lose her position of leadership, — a position which all the New England communities now accord her, by reason of her capital, her industrial strength, her location and the fact that she possesses the greatest city and the principal seaport in New England.

I take this occasion to say also that in any legislation, no matter how advantageous its ends may seem, no benefit is to be expected unless it is made to conform to our highest standards of equity and justice. In this respect the present bill fails, and for that reason, if for no other, it should not become a law.

[To the honorable senate and house of representatives, June 11, 1913.]

I return herewith without my approval house bill 2465, entitled An Act to provide better transportation facilities for western Massachusetts.

This act is the last of a series of measures conceived in the interest of the New York, New Haven and Hartford Railroad Company, by which it has been sought to break down the established laws and policy of this commonwealth. It purports to provide better transportation facilities for western Massachusetts, but in fact has been skilfully drafted in such manner as to legalize unlawful acts hitherto committed by the railroad company without giving any satisfactory assurance that the transportation facilities needed in western Massachusetts will ever be provided. This measure will merely disappoint the expectations of all who have supported it in good faith, while it carefully confers upon the railroad company the precise privileges it has so long sought. That this measure will disappoint the expectations of the people of the western counties can be readily shown by analysis of its provisions.

Section 1 grants to the Berkshire Street Railway Company the power to purchase various street railways, control of which was originally acquired by the New York, New Haven and Hartford Company in defiance of the laws and policies of the commonwealth. Sections 9 and 10 provide for the financing of the Berkshire Street Railway Company by the New York, New Haven and Hartford Railroad Company, which now owns and controls that corporation. These sections, if they ever go into effect, will fully legalize the illegal acts originally committed by the New York, New Haven and Hartford Railroad Company, and will consolidate

under the control of that company practically all the street railways in the central and western counties of the Commonwealth.

In return for this grant of immunity and monopolistic privilege, section 2 appears to provide for the construction of a large number of trolley lines by the New York, New Haven and Hartford Railroad, through the agency of the Berkshire Street Railway Company. Some of these lines are those which the hill towns of the commonwealth desire, but a careful analysis of section 2 reveals the fact that it authorizes the construction of approximately 292 miles of trolley lines, many of which are not in western Massachusetts, but are located in the centre of the commonwealth, reaching to the east as far as Ayer, Clinton, Sterling, West Boylston, Millbury and Grafton. Substantially half of them appear to be east of the Connecticut river and considerably more than one third are in Worcester and Middlesex counties. Berkshire county is allotted only 54 miles, while Worcester county receives 105 miles. Hampshire and Hampden counties together are allotted but 20 miles more than Worcester county. Instead of providing merely for the needs of western Massachusetts, this measure provides for a complete monopoly of all means of transportation in the very centre of the commonwealth.

This long list of proposed lines, amounting to 292 miles, is undoubtedly well calculated to enlist support for the measure both within and without the legislature, but under the provisions of the bill, the greater part of these lines will never be constructed. For section 2 limits the required expenditure for new railways to the sum of $5,000,000, and a simple calculation will show that only a fraction of the proposed lines will ever be built. I am informed by the chairman of the board of railroad commissioners that the cost of constructing and equipping the new lines "would be likely to be over rather than under $50,000 per mile." We may estimate, therefore, that the $5,000,000 provided by this bill would, if honestly and economically expended, build and equip about 100 out of the 292 miles of railway so attractively set forth in section 2. But if expended by the present New Haven management, under improvident and wasteful contracts such as have been recently exemplified in the construction of the Hampden County railroad, the $5,000,000 will build considerably less than 100 miles of trolley lines. If we may judge by the capitalization of the

Berkshire Street Railway, at least $66,000 per mile are necessary to construct and equip a trolley line under the control of the present New York, New Haven and Hartford management. Upon this basis we might expect that under the five million dollar limitation, something like seventy-five miles of railway would be built out of the 292 miles of extensions which this measure seems to promise. It is evident, therefore, that section 2 has enlisted support for this measure under gross misconception of the benefits to accrue to the people of the commonwealth.

It is furthermore evident that when a selection is made of the lines to be built there is a strong probability that only the more profitable lines will be constructed. This will be, of course, greatly to the interest of the railroad company, and it would seem to be the result contemplated by section 16 of this bill, for that section provides that the railroad commission must certify that the Berkshire Company and the New York, New Haven and Hartford Railroad "are financially able to comply with the provisions of this act." It is evident, then, that the people of our hill towns, under the provisions of section 2, are doomed to bitter disappointment, and will never secure the railway facilities this bill purports to offer as the consideration which the railroad gives the commonwealth in return for the grant of immunity and monopolistic privilege. I find, therefore, that if sections 1 and 2 of this bill ever go into operation, their effect will be to legalize the past illegal acts of the New York, New Haven and Hartford Railroad, consolidate under its monopolistic control all the trolley lines in the central and western part of Massachusetts, and permit it to construct some 75 miles of extensions in presumably the most profitable territory. Of the construction of unprofitable lines in the small hill towns the bill affords only the remotest possible prospect.

Quite in keeping are the provisions of section 4, which purports to provide for the construction of additional extensions to the lines described in section 2. This section seems to require the Berkshire Company to build such extensions as may be designated by the board of railroad commissioners, but it contains the significant proviso that the board may not order such extensions until it can certify that the Berkshire Company has earned in the preceding fiscal year a reasonable return upon its property over and above all expenses of operation, interest, taxes, rentals and other lawful charges, including "a reasonable amount for

depreciation." Now it is a matter of common notoriety that the street railways of the state are not able, even in the sections where traffic is greatest, to make any considerable allowance for depreciation; and it is certain that if they were required to do more than maintain their property in its existing state of efficiency few companies, if any, would be able to pay a dividend. It is obvious, therefore, that section 4 makes the construction of the additional extensions by the Berkshire Railway conditional upon a requirement which the most prosperous street railway in the commonwealth would find it difficult to meet. Clearly this proviso is cleverly contrived to deprive the western counties of the whole amount of additional construction which section 4 purports to require.

But the greatest objection against the bill is that section 1 provides that the Berkshire Company may purchase and hold the capital stock of the Attleborough Branch Railroad Company, the Interstate Consolidated Street Railway Company, and "any of the companies whose railways are leased or operated as aforesaid." Thus the bill explicitly authorizes the holding of stocks in corporations located in the southeastern portion of the commonwealth as a part of this plan of providing transportation facilities in western Massachusetts. It also makes this power extend to any street railways leased or operated by the Springfield, Worcester and other railway companies mentioned in lines 5 to 9 of this section. While it may limit such stock ownership to lines now in existence, or lines now leased and operated, it does not limit the future expansion of those lines to any extent that may be desired, so that for all practical purposes it opens the door to an indefinite extension of the operations of the Berkshire Street Railway Company. Thus this bill creates the basis for a complete monopoly of street railway transportation in eastern, as well as western Massachusetts.

Here, then, we come to the chief purpose of house bill No. 2465. The measure purports to provide for the construction of needed railway facilities in western Massachusetts, but by sections 2 and 4 it skilfully withdraws from the public a large part of the consideration promised in return for validating the illegal acts of the New York, New Haven and Hartford Railroad Company. It then provides for the creation of a holding company which is given all the authority necessary to extend the New Haven Railroad's control over street railways into any and every portion of

the commonwealth. The authorization of the holding company is not necessary for any of the purposes the act professes to contemplate, and these provisions have no natural or logical place in the measure. They discredit the entire bill; and I cannot doubt that, with their purpose revealed, the legislature will defeat this attempt of the New York, New Haven and Hartford Railroad to complete its monopoly of all means of transportation in the commonwealth. But, in any event, I should fall short of my duty if I failed to make clear to the people of Massachusetts the real purpose of this measure, which, skilfully contrived to foist upon the commonwealth a gigantic transportation monopoly, will disappoint all the expectations of the people of our western counties.

Even if this bill provided in good faith for the construction of the trolley lines our hill towns need, and did not authorize a gigantic transportation monopoly, it would be a serious question whether the commonwealth could afford, for a pecuniary consideration, to depart from its established policy and legalize acts which the New Haven Railroad sought originally to do in violation of the law. In my opinion the railroad long ago should have divested itself of even an indirect interest in the trolley lines it illegally acquired, and not until it does so can it regain the confidence of this commonwealth. But this bill offers only a pretence of a consideration in exchange for the favors sought, and under it very few trolley lines need ever be built in the counties which expect to benefit by the bargain.

[To the honorable senate and house of representatives, June 12, 1913.]

I return herewith without my approval house bill 2485, entitled An Act to change the name, enlarge the membership, and increase the powers of the board of railroad commissioners.

I have urged upon three successive legislatures the need of strengthening the control of the state over public service corporations.

The original purpose of this bill, to provide effective regulation of our railroads, is one of the principal objects for which I have given three years to the public service; and nothing would gratify me more than to sign a measure that would provide such regulation. In the early stages of its progress through the legislature the act gave assurance that

the people of Massachusetts, after years of effort, were to receive recognition of their demands.

But at a certain point in the proceedings the demand was made that the bill be amended by inserting financial provisions foreign to its real purpose and having no legitimate place in the measure. Against the protest of the bank commissioner, these provisions were finally incorporated in the bill; and are now offered as the price for which the people of Massachusetts can purchase the right to control the railroads of the commonwealth.

The merits of sections 15 and 16 of this act I find it unnecessary to consider because, whether good or bad in themselves, they are out of place in the measure, and are, as everyone knows, the price exacted by the railroads for their permission to enact the other provisions of this bill. They present but a single question for the legislature and the people of the commonwealth to consider: Is Massachusetts ready to purchase from the railroads the right to enact this law? If I have any knowledge of the purposes and desires of the people of this commonwealth, they will not approve this humiliating bargain, and I trust that Massachusetts will never purchase the right to enact this or any other measure.

To all who have supported the measure in the belief that it represents a step forward in the control of railroads, I reply that no law, however desirable in other respects, is worth having if it has to be purchased by a bargain discreditable to the commonwealth. I unhesitatingly veto the measure in full confidence that the people of Massachusetts will emphatically repudiate such legislation.

In opposition to this measure I lay down the simple principle that Massachusetts should not buy the right to regulate railroads; and I submit the issue to the candid consideration of the citizens of this commonwealth.

[To the honorable senate and house of representatives, June 13, 1913.]

I transmit herewith a letter under date of June 11, from Mr. Charles C. Doten, harbor engineer for the town of Plymouth, setting forth that an act of congress approved March 4, 1913, provided an appropriation of $83,500 for the improvement of the harbor of Plymouth on condition that the state contribute a similar amount.

With the letter are enclosed copies of the recommendation of the chief of engineers of the U. S. army and a report of the

board of engineers for rivers and harbors; also a letter from our state harbor and land commission suggesting favorable action in co-operation with the U. S. government.

Inasmuch as the general appropriation bill for the improvement of Massachusetts harbors and rivers has not been passed by this general court, I recommend to your careful consideration the passage of an act authorizing the expenditure of $83,500 for the purpose stated, in order to meet the terms of the act of congress referred to and thus secure the benefit of this important financial co-operation by the federal government.

BOSTON, June 11, 1913.

To His Excellency the Governor of Massachusetts, State House, Boston.

It is respectfully represented that by Act of Congress approved March 4th, 1913, an appropriation for improvement of the harbor of Plymouth, Massachusetts, of $83,500 was made, on condition that the state contribute a similar amount. Official memorandum of the act as passed, together with copy of house document No. 1194 containing recommendation of the chief of engineers of U. S. army, and report of the Massachusetts board of harbor and land commissioners suggesting that favorable action in co-operation with the government be taken by the legislature, herewith submitted.

Through failure of passage of the general harbor bill by the senate, the appropriation of the United States government, and the much needed improvement of one of the most important ports of the state doing a foreign import business exceeding $5,000,000 annually, will be lost to the commonwealth.

These facts are brought to the attention of your excellency, with the urgent request that you communicate the same to the legislature, with such recommendations as you may deem expedient.

Very respectfully,

CHAS. C. DOTEN,
Harbor Engineer for the Town of Plymouth.

[To the honorable senate and house of representatives, June 14, 1913.]

Herewith I return without my approval house bill 2518, being An Act relative to the hours of labor of employees of street railway companies and providing substantially that a day's work of such employees shall not exceed nine hours and shall be so arranged as to be performed within eleven consecutive hours.

The bill further provides that if an employee so desires, he may, for extra compensation, work more hours than those prescribed in this act; but the employer shall not require such

extra work of him and shall be punished by a fine of from one hundred to five hundred dollars for violating this act or any provision of it.

Chapter 533 of the acts of 1912, of which the present bill is an amendment, provided that for certain employees of street and elevated railways a day's work should be constituted of nine hours and should be arranged to be performed within twelve consecutive hours. That act was approved on April 25, 1912, to go into effect January 1, 1913. It was accepted by both employers and employees as a provisional solution of all matters in controversy, with the tacit understanding that a reasonable time should be given to work out details under its provisions.

Eight days after that act went into effect a petition was filed in the house of representatives embodying the principal features of the present bill, and this bill is obviously in response to said petition.

The law of last year stipulated a nine hours' working limit substantially in the terms of the present bill, provided, however, that if a schedule could not be so arranged as to furnish a day's work of approximately nine hours' time, one not exceeding nine and one half hours should be arranged by schedule. The present bill, if it becomes a law, will remove this provision and compel all street and elevated railway companies to make provision for the employment of their men on a basis of nine hours' work to be performed within eleven consecutive hours.

The justification for legislation of this general character rests on the principle that the state must exert its authority to ensure the health and general welfare of its citizens. It has accordingly become recognized that the state has the right to limit the hours of labor in that unhealthful conditions have undoubtedly resulted from past failures to enforce reasonable limitations upon working time.

This bill, however, cannot well be construed as limiting the hours of labor on behalf of health because it explicitly declares that no employee concerned shall be prevented by this act from working, if he so desires, more hours than those prescribed therein. The bill leaves the employee free to work as long as he likes but restricts the employer as to the number of hours which he may require.

As to the justification for this law on general economic grounds, I am informed that the employing companies affected by this bill had not had the opportunity to adjust

themselves properly to the law of 1912 before this further concession was demanded.

In my judgment, the law of last year went as far as legislation of this character can well go for the present, and I take this occasion to say that I believe that those who advise the workingmen of Massachusetts in respect to these repeated demands are rapidly defeating their purposes and injuring the true interests of labor in Massachusetts by forcing their always increasing requirements faster than economic conditions in this state justify.

This present bill indicates how rapidly and with what little reason these demands are being made at the present time. At a date when the law of 1912 with respect to the employees of street railways had been in effect only eight days, this demand was made for a further change in the law which would upset the schedules of all the corporations concerned, put them to much added expense and still further act to discourage the investment of capital in these corporations.

[To the honorable senate and house of representatives, June 18, 1913.]

Herewith I return without my approval senate bill 578, An Act to establish a board of registration of barbers.

In my judgment, this bill is too far-reaching and would impose serious hardships upon those seeking to earn a living through the barber's trade.

I recognize the imperative necessity of protecting the public from unsanitary conditions in barber shops, but I would direct the attention of the legislature to the regulations already enforced by local boards of health and to the authority now vested in such boards under our statutes to issue such regulations.

I attach hereto, for example, a copy of the regulations which were issued, under date of June 7, 1912, by the Boston health department. Other towns and cities within the commonwealth in which adequate regulations are not now enforced owe it to themselves to set these matters right of their own initiative without looking to the general court.

If this bill were to become a law it would impose the following restrictions upon those who wished to take up the work of a barber, in addition to the requirement of registration by the board. The applicant would have to be at least eighteen years of age and would have had to study the business of barbering for a period of two years as an apprentice

or one year as a student in a school under the instruction of a qualified barber; or he would have had to study as an apprentice or practice as a barber in another state for a period of not less than three years.

I believe that these restrictions are unnecessary and that it is unwise to impose legislative handicaps and restrictions upon any honest trade or vocation unless such restriction is clearly demonstrated to be necessary in the interests of the public.

HEALTH DEPARTMENT, 100 SUMMER STREET,
BOSTON, June 7, 1912.

At a meeting of the board of health, this day, the regulation respecting barber shops adopted May 4, 1900, was amended so as to read as follows:

REGULATIONS FOR BARBER SHOPS.

The place of business, together with all the furniture, shall be kept, at all times, in a cleanly condition.

Mugs, shaving brushes, razors, scissors, and all other utensils used in shaving and hair cutting shall be sterilized by immersion in boiling water for a period of at least one minute after every separate use thereof.

A separate clean towel shall be used for each person, and no towel that has been used on a previous customer shall again be used until relaundered.

All rubber discs and appliances of a massage vibrator coming in contact with the skin in the process of massaging shall be thoroughly cleansed and rendered aseptic after each operation and before being used on another customer.

Alum, or other material, used to stop the flow of blood shall be so used only in powdered form, and applied on a clean towel.

The use of powder puffs and sponges is prohibited.

Every barber shop shall be provided with running hot and cold water.

No person shall be allowed to use any barber shop as a dormitory.

Every barber shall cleanse his hands thoroughly immediately after serving each customer.

A true copy.

Attest. F. H. SLACK,
Secretary.

[To the honorable senate and house of representatives, June 18, 1913.]

Herewith I return without my approval An Act to establish the salaries of certain members of the district police, and which would involve an annual increase of salary for

forty-seven members of the force amounting to $250 each, with other advances in favor of twenty-six other members and officers of the force, the total increase amounting to approximately $14,000 per annum.

I object to this measure because it arbitrarily fixes the compensation of the state police, or so-called district police, department, on the basis of length of service. For example the act provides that "all members who have served in the department five years or more shall receive an annual salary of $2,000; four years, $1,900; three years, $1,800; two years, $1,700, and one year $1,600."

I cannot see that this measure takes into consideration any question of individual fitness on the part of the men benefited. For example, in the case of the forty-seven men who will receive the maximum benefit of this bill, and all of whom will receive $250 additional compensation, I feel confident that some of these men must have shown superior fitness and ability, and that power should be vested in the department to give to these individuals a greater financial advantage than is given in the case of other individuals. This bill takes all such authority out of the hands of the department, or its chief, and imposes an arbitrary ruling as to salaries.

It must be remembered that under our civil service system public employees are rarely discharged for merely indifferent service. Actual incompetence and inability must ordinarily be demonstrated in order to effect such discharge. Consequently the public service, which is now largely protected as regards the appointment of new men from political motives, nevertheless suffers the handicap that the force cannot be improved by letting the inefficient worker go and replacing him by someone better fitted for the position. In the face of this handicap it is unfair to ask the people of the state to provide increased compensation for any public servant or employee merely on the basis of length of service.

The civil service itself recognizes this difficulty by requiring examinations as a condition of promotion. Imperfect as that provision may be, it is better than nothing. But the present bill offers absolutely no guarantee that all its beneficiaries are worthy of such increase of salary.

RETURNS, ETC.

Returns from cities and towns relative to action taken under certain provisions of the General Law.

When received.	City or Town.	Subject and Reference.	Action.	Date of Action.
1912.				
Jan. 1	Newton,	School halls, 1911, 367,	Accepted,	May 14, 1910
Feb. 2	Boylston,	Elections, 1907, 560, § 392,	Accepted,	Mar. 6, 1911
Feb. 3	Northbridge,	Elections, 1907, 560, § 392,	Accepted,	Apr. 3, 1911
Feb. 10	Whately,	Elections, 1907, 560, § 392,	Accepted,	May 8, 1911
Feb. 14	New Bedford,	New precincts, 1907, 560, § 191,	Accepted,	Feb. 8, 1912
Feb. 23	Taunton,	School halls, 1911, 367,	Accepted,	Feb. 21, 1912
Feb. 23	Freetown,	Elections, 1907, 560, § 392,	Accepted,	Sept. 26, 1911
Mar. 2	Boston,	Precinct changes, 1907, 560, § 191,	Accepted,	Feb. 17, 1912
Mar. 6	Walpole,	Public parks, R. L., 28, §§ 1-14,	Accepted,	Mar. 4, 1912
Mar. 7	Winchester,	Board of survey, 1907, 191,	Accepted,	Mar. 9, 1908
Mar. 16	Leyden,	Elections, 1907, 560, § 392,	Accepted,	Mar. 4, 1912
Mar. 18	Easthampton,	Forest fires, 1911, 244,	Accepted,	Mar. 11, 1912
Mar. 19	Boylston,	Election of moderator, 1907, 560, § 359,	Accepted,	Mar. 4, 1912
Mar. 22	Braintree,	Sales on Sunday, 1909, 423,	Accepted,	Mar. 19, 1912
Mar. 27	Worcester,	Police pensions, R. L., 108, § 29 and 1909, 188,	Accepted,	Mar. 25, 1912
Mar. 28	Lynn,	New precinct, 1907, 560, § 191,	Accepted,	Mar. 27, 1912
Apr. 2	Fall River,	New precinct, 1907, 560, § 191,	Accepted,	Mar. 30, 1912
Apr. 5	Waltham,	New precinct, 1907, 560, § 191,	Accepted,	Mar. 21, 1912
Apr. 5	Springfield,	Police vacations, 1911, 210 and 625,	Accepted,	Apr. 2, 1912
Apr. 10	Newton,	Police vacations, 1911, 210 and 625,	Accepted,	Apr. 1, 1912

Returns from cities and towns relative to action taken under certain provisions of the General Law — Concluded.

When received.	City or Town.	Subject and Reference.	Action.	Date of Action.
1912.				
Apr. 11	Dedham,	School halls, 1911, 367,	Accepted,	Apr. 2, 1912
Apr. 11	Dedham,	Overseers of the poor, 1907, 560, § 367,	Accepted,	Apr. 2, 1912
Apr. 17	Millbury,	Watering streets, R. L., 25, § 22 and 1908, 452,	Accepted,	Mar. 18, 1912
Apr. 23	Pepperell,	Elections, 1907, 560, § 392,	Accepted,	Mar. 25, 1912
Apr. 25	Wakefield,	Building inspector, R. L., 104, §§ 4-13 and 1908, 221,	Accepted,	Apr. 10, 1912
Apr. 25	Wakefield,	Chiefs of police, 1911, 468,	Accepted,	Apr. 10, 1912
Apr. 25	Wakefield,	Fire limits, R. L., 104, § 1,	Accepted,	Apr. 10, 1912
Apr. 26	Stoneham,	Inspection of buildings, R. L., 104, §§ 1-13,	Accepted,	Apr. 3, 1912
Apr. 26	Stoneham,	School halls, 1911, 367,	Accepted,	Apr. 3, 1912
May 4	Cambridge,	Retirement of veterans, 1912, 447,	Accepted,	Apr. 30, 1912
May 25	Malden,	Sidewalk assessments, 1908, 216,	Accepted,	May 24, 1912
June 4	Beverly,	Smoke nuisance, R. L., 102, §§ 122-126,	Accepted,	May 31, 1912
June 6	Lowell,	School halls, 1911, 367,	Accepted,	June 4, 1912
June 7	North Adams,	Deputy election officers, 1911, 436,	Accepted,	June 4, 1912
June 29	Worcester,	New precincts, 1907, 560, § 191,	Accepted,	June 24, 1912
July 1	Newton,	Retirement of veterans, 1912, 447,	Accepted,	June 26, 1912
July 3	Ipswich,	Taking of clams, 1912, 710,	Accepted,	June 21, 1912
Aug. 14	Seekonk,	Precinct voting, 1907, 560, § 195,	Accepted,	June 5, 1912
Aug. 16	Shirley,	Precinct voting, 1907, 560, § 196,	Accepted,	Apr. 30, 1912
Sept. 4	Lowell,	Election officers, 1911, 436,	Accepted,	Aug. 30, 1912
Nov. 14	Ashburnham,	Election of moderator, 1907, 560, § 393,	Accepted,	Apr. 20, 1912

Nov. 20	Everett,	Retirement of veterans, 1912, 447,	Accepted,	Nov. 18, 1912
Nov. 27	Fairhaven,	Precinct voting, 1907, 560, § 195,	Accepted,	Nov. 25, 1912
Dec. 10	North Andover,	Precinct voting, 1907, 560, § 381,	Accepted,	Mar. 9, 1912
Dec. 11	Holyoke,	Teachers' pensions, 1908, 498,	Rejected,	Dec. 3, 1912
Dec. 12	Belmont,	New precinct, 1907, 560, § 199,	Accepted,	Dec. 4, 1912
Dec. 13	Haverhill,	Police pensions, 1909, 188,	Accepted,	Dec. 11, 1912
Dec. 19	Haverhill,	Police pensions, R. L., 108, § 29,	Accepted,	Dec. 16, 1912
Dec. 19	Taunton,	New precincts, 1907, 560, § 191,	Accepted,	Dec. 18, 1912
Dec. 20	Beverly,	Retirement of veterans, 1912, 447,	Accepted,	Dec. 9, 1912
Dec. 20	Lowell,	Eight-hour law, 1909, 514, § 42,	Accepted,	Dec. 10, 1912
Dec. 27	Pittsfield,	Public parks, R. L., 28, §§ 1-16,	Accepted,	Dec. 3, 1912
1913.				
Jan. 14	Pembroke,	Elections, 1907, 560, §§ 364-365,	Accepted,	May 21, 1912
Jan. 15	Medford,	Police vacations, 1911, 210,	Accepted,	Dec. 14, 1912
Jan. 31	Lincoln,	Elections, 1907, 560, § 392,	Accepted,	Jan. 25, 1912
Mar. 11	Worcester,	New precincts, 1907, 560, § 191,	Accepted,	Dec. 30, 1912
Mar. 14	Clarksburg,	Elections, 1907, 560, § 392,	Accepted,	Aug. 8, 1912
Mar. 14	Pittsfield,	New precinct, 1907, 560, § 191,	Accepted,	Mar. 3, 1912
Apr. 22	Tyringham,	Elections, 1907, 560, § 392,	Accepted,[1]	Apr. 1, 1912
July 12	Amesbury,	Public parks, R. L., 28, §§ 1-14,	Accepted,	Apr. 1, 1912

[1] Action rescinded at meeting of April 7, 1913.

Returns relative to the acceptance or rejection of certain special acts passed by the General Court and referred to the voters, or to the city council of a city.

When received.	From Whom received.	Title of Act.	Date of Action.	Vote.	
				Yes.	No.
1912.					
Jan. 1	City Clerk, Chelsea,	An Act to revise the charter of the city of Chelsea. [1911, 680.] Plan 2 adopted.	Nov. 7, 1911	1,961	1,731
Jan. 12	City Clerk, Malden,	An Act to provide for the appointment of a police commissioner of the city of Malden. [1911, 16.]	Nov. 7, 1911	2,326	1,914
Feb. 29	City Clerk, Boston,	An Act to authorize the city of Boston to pay a sum of money to the widow of Wm. T. Cheswell. [1911, 288.]	Sept. 23, 1911	-[1]	-
Feb. 29	City Clerk, Boston,	An Act relative to a retirement fund for laborers employed by the city of Boston. [1911, 413.]	Oct. 31, 1911	-[1]	-
Feb. 29	City Clerk, Boston,	An Act to provide for the widening of Pleasant street in the city of Boston. [1911, 591.]	Nov. 14, 1911	-[1]	-
Mar. 7	Town Clerk, Wellesley,	An Act to supply the town of Wellesley with water. [1883, 166.]	Dec. 1, 1883	-[2]	-
Mar. 7	Town Clerk, Wellesley,	An Act to authorize the town of Wellesley to elect a board of water and municipal light commissioners. [1902, 144.]	Apr. 28, 1902	-[3]	-
Mar. 18	Town Clerk, Easthampton,	An Act to authorize the town of Easthampton to establish a board of public works. [1911, 20.]	Mar. 11, 1912	-[3]	-
Mar. 22	Town Clerk, Braintree,	An Act to authorize the towns of Weymouth and Braintree to regulate the taking of smelts in the waters of Weymouth Fore river and Weymouth Back river. [1911, 306.]	Mar. 19, 1912	-[3]	-
Apr. 10	Town Clerk, Natick,	An Act to authorize the town of Natick to incur indebtedness for a high school building. [1912, 6.]	Mar. 12, 1912	206	1
Apr. 12	Town Clerk, Weymouth,	An Act to authorize the towns of Weymouth and Braintree to regulate the taking of smelts in the waters of Weymouth Fore river and Weymouth Back river. [1911, 306.]	Mar. 19, 1912	-[3]	-
May 1	City Clerk, Malden,	An Act to establish the office of city forester in the city of Malden. [1912, 374.]	Apr. 30, 1912	-[1]	-
May 15	City Clerk, Marlborough,	An Act to establish a board of water and sewage commissioners in the city of Marlborough. [1912, 393.]	Apr. 29, 1912	-[1]	-
May 16	Mayor of Boston,	An Act to provide for the appointment of an additional associate medical examiner for the county of Suffolk. [1912, 466.]	May 15, 1912	-[4]	-
May 27	City Clerk, Beverly,	An Act to authorize the city of Beverly to discontinue the use for playground purposes of a certain parcel of land near the poor farm in that city. [1912, 544.]	May 23, 1912	-[1]	-
June 28	City Clerk, Somerville,	An Act to provide for the retirement of members of the fire department of the city of Somerville. [1912, 453.]	June 13, 1912	-[1]	-
July 6	Town Clerk, Natick,	An Act to prohibit the drawing down of the water of the Charles river at certain seasons of the year. [1901, 529.]	Apr. 3, 1911	-[3]	-

July 9	City Clerk, Cambridge, . . .	An Act to authorize the city of Cambridge to incur indebtedness for park purposes. [1912, 578.]	July 8, 1912	–[1]	–
July 31	Town Clerk, Norwood, . . .	An Act to authorize the town of Norwood to provide an additional water supply and to make an additional water loan. [1911, 559.]	Aug. 3, 1911	69	–
July 31	City Clerk, Fall River, . . .	An Act to provide for the retirement of members of the fire department of the city of Fall River. [1911, 277.]	Sept. 18, 1911	–[5]	–
Aug. 1	Town Clerk, Arlington, . . .	An Act to establish the boundary line between the city of Cambridge and the town of Arlington. [1911, 405.]	May 22, 1911	–[6]	–
Aug. 1	City Clerk, Boston, ...	An Act to authorize the city of Boston to pay a sum of money to John J. Carney. [1911, 738.]	Sept. 16, 1911	–[1]	–
Aug. 1	Clerk, West and South Water Supply District of Acton.	An Act to establish the West and South Water Supply District of Acton and to provide for supplying said district with water. [1912, 326, sections 1–12.] [7]	July 11, 1912	57	1
Aug. 1	Town Clerk, Peabody, . . .	An Act to authorize the town of Peabody to extend and increase its system of water supply. [1911, 640.]	Aug. 14, 1911	196	2
Aug. 1	Town Clerk, Peabody, . . .	An Act to authorize the town of Peabody to acquire underground sources of water supply and to extend its water system. [1912, 501.]	June 18, 1912	–[3]	–
Aug. 3	Town Clerk, Barnstable, . . .	An Act to incorporate the Barnstable Water Company. [1911, 286.] . . .	Apr. 26, 1911	48	32
Aug. 6	City Clerk, Malden, ...	An Act relative to the retirement of certain veterans in the service of the city of Malden. [1911, 725.]	Nov. 18, 1911	–[1]	–
Aug. 7	Town Clerk, West Brookfield, . .	An Act to authorize the town of West Brookfield to supply itself and its inhabitants with water. [1911, 373.]	May 31, 1911	134	73
Aug. 12	Clerk, Norton Fire District, . .	An Act to establish the Norton Fire District. [1911, 426.]	May 24, 1911	106	43
Aug. 15	City Clerk, Boston, ...	An Act relative to mortuaries in the county of Suffolk. [1912, 631.] . . .	Aug. 13, 1912	–[1]	–
Aug. 22	Town Clerk, Reading, . . .	An Act relative to town meetings in the town of Reading. [1910, 276.] . .	Mar. 6, 1911	342	55
Aug. 23	Town Clerk, Marblehead, . . .	An Act to authorize the town of Marblehead to convey certain property to Hannah Graves. [1911, 46.]	Mar. 8, 1911	77	126
Aug. 23	Town Clerk, Marblehead, . . .	An Act to authorize the laying out of a street over a part of Mugford park in the town of Marblehead. [1912, 65.]	Mar. 12, 1912	237	–
Aug. 23	Town Clerk, Framingham, . . .	An Act to authorize the town of Framingham to incur indebtedness for a grade school building. [1911, 61.]	Apr. 26, 1911	31	2
Aug. 24	Town Clerk, Peabody, . . .	An Act to consolidate the board of sewer commissioners, the water board and the office of surveyor of highways in the town of Peabody. [1910, 621.]	Nov. 8, 1910	1,075	708
Aug. 24	Town Clerk, Hamilton, . . .	An Act authorizing the taking of cemetery land for a public park in the town of Hamilton. [1911, 109.]	July 10, 1911	33	1
Aug. 24	City Clerk, Boston, ...	An Act to provide for constructing as a state highway a part of Washington street in the West Roxbury district of the city of Boston. [1910, 527.]	Jan. 30, 1911	–[5]	–

[1] Accepted by mayor and city council.
[2] Accepted by vote of more than two thirds of legal voters present and voting at meeting.
[3] Accepted, affirmative and negative votes not taken.
[4] Accepted by the mayor.
[5] Rejected by the city council.
[6] Accepted by the selectmen.
[7] The vote upon the question of the acceptance of section 13 of said act was, "Yes," 44; "No," 3.

Returns relative to the acceptance or rejection of certain special acts passed by the General Court and referred to the voters, or to the city council of a city — Concluded.

When received.	From Whom received.	Title of Act.	Date of Action.	Vote.	
				Yes.	No.
1912.					
Aug. 26	Town Clerk, Saugus,	An Act to establish a board of water commissioners in the town of Saugus and to authorize said town to extend its water system. [1911, 91.]	Mar. 14, 1911	–[1]	–
Aug. 27	Town Clerk, Holbrook,	An Act to authorize the town of Holbrook to refund certain indebtedness. [1911, 156.]	May 29, 1911	–[1]	–
Aug. 28	Town Clerk, Sudbury,	An Act to authorize the town of Sudbury to restore certain trust funds and to provide for the custody and management thereof. [1911, 180.]	June 10, 1911	–[1]	–
Sept. 9	Town Clerk, Framingham,	An Act to authorize the town of Framingham to enlarge and improve its system of water supply. [1912, 656.]	Aug. 29, 1912	44	–
Oct. 1	City Clerk, Quincy,	An Act to authorize the city of Quincy to fund a certain portion of its indebtedness. [1912, 685.]	Sept. 28, 1912	–[2]	–
Oct. 10	Town Clerk, Winthrop,	An Act to authorize the town of Winthrop to extend and improve its system of sewerage. [1911, 221.]	May 16, 1911	–[1]	–
Oct. 15	Clerk, Dighton Water Supply District,	An Act to establish the Dighton Water Supply District and to provide for supplying the same with water. [1911, 226.]	May 3, 1911	44	32
Oct. 17	City Clerk, Beverly,	An Act to authorize the city of Beverly to discontinue the use for playground purposes of a certain parcel of land near the poor farm in that city. [1912, 544.]	May 20, 1912	–[2]	–
Nov. 12	City Clerk, Lawrence,	An Act to provide for the construction of a new bridge over the Merrimac river in the city of Lawrence. [1912, 662.]	Nov. 5, 1912	3,051	4,792
Nov. 20	City Clerk, Holyoke,	An Act relative to the terms of office of the mayor and city messenger of the city of Holyoke and to the school committee of that city. [1912, 381.]	Nov. 5, 1912	1,702	4,396
Dec. 12	City Clerk, Taunton,	An Act to establish the terms of office of the city auditor, the superintendent of public buildings and city messenger of the city of Taunton. [1912, 247.]	Dec. 3, 1912	1,694	2,780
Dec. 18	Town Clerk, Mattapoisett,	An Act to authorize the town of Mattapoisett to supply itself with water. [1912, 220.]	Aug. 29, 1912	–[1]	–
Dec. 18	City Clerk, Brockton,	An Act to provide for the establishment of a board of highway commissioners for the city of Brockton. [1912, 340.]	Nov. 5, 1912	4,630	2,347
Dec. 30	City Clerk, Melrose,	An Act to provide for an enclosed athletic field in the city of Melrose. [1912, 687.]	Dec. 10, 1912	1,341	917
1913.					
Jan. 14	City Clerk, Salem,	An Act to revise the charter of the city of Salem. [1912, 559.] Plan 2 adopted.[3]	Nov. 5, 1912	2,830	746
Feb. 4	City Clerk, Malden,	An Act relative to primary elections in the city of Malden. [1912, 314.]	Nov. 5, 1912	2,705	1,699
July 10	Town Clerk, Franklin,	An Act to authorize the town of Franklin to construct a system of sewerage. [1912, 613.]	July 2, 1912	–[1]	–
July 11	City Clerk, New Bedford,	An Act relative to the school committee of the city of New Bedford. [1912, 341.]	Nov. 5, 1912	4,077	3,621

July 11	Town Clerk, Framingham, . . .	An Act to authorize the town of Framingham to hold certain land conveyed by the trustees of Framingham Academy. [1912, 98.]	Mar. 26, 1912	118	-
July 11	City Clerk, Quincy, ...	An Act to extend the provisions of the civil service act to the chief of the fire department of the city of Quincy. [1912, 579.]	Dec. 3, 1912	1,936	2,082
July 12	Town Clerk, Princeton, . . .	An Act to authorize the town of Princeton to use certain funds for a town history. [1912, 108.]	Mar. 4, 1912	25	-
July 12	Town Clerk, Amesbury, . . .	An Act relative to the establishment of a park in the town of Amesbury. [1912, 95.]	Mar. 18, 1912	-[1]	-
July 12	Town Clerk, Plymouth, . . .	An Act relative to the taking of clams in and around the shores of Plymouth, Kingston and Duxbury. [1912, 57.]	Mar. 23, 1912	159	122
July 14	Clerk, North Dighton Fire District in the town of Dighton.	An Act to establish the North Dighton Fire District in the town of Dighton. [1912, 671.]	Aug. 17, 1912	17	-
July 14	Town Clerk, Marblehead, . . .	An Act to authorize the laying out of a street over a part of Mugford park in the town of Marblehead. [1912, 65.]	Mar. 12, 1912	237	-
July 15	Town Clerk, Erving, ...	An Act relative to the construction of a bridge over the highway in the village of Millers Falls in the town of Erving. [1912, 83.]	Mar. 4, 1912	-[1]	-
July 16	Town Clerk, Duxbury, . . .	An Act relative to the taking of clams in and around the shores of Plymouth, Kingston and Duxbury. [1912, 57.]	Mar. 2, 1912	12	57

[1] Accepted, affirmative and negative votes not taken. [2] Accepted by mayor and city council.

[3] The vote on the repeal of the old form of charter was, "Yes," 3,050; "No," 2,240.

Returns of votes cast upon the question of the acceptance or rejection of chapter 503 of the Acts of 1912, being "An Act relative to pensioning laborers in the employ of cities and towns," submitted to the voters of the several cities and towns of the Commonwealth (except to the city of Boston) at the State election held Nov. 5, 1912.

CITY OR TOWN.	Result of Vote.	Yes.	No.
Abington,	Accepted,	411	162
Acton,	Rejected,	111	117
Acushnet,	Rejected,	37	83
Adams,	Accepted,	524	413
Agawam,	Accepted,	206	104
Alford,	Accepted,	14	11
Amesbury,	Rejected,	447	454
Amherst,	Accepted,	340	281
Andover,	Accepted,	387	309
Arlington,	Accepted,	934	484
Ashburnham,	Accepted,	110	48
Ashby,	Rejected,	28	45
Ashfield,	Rejected,	18	44
Ashland,	Accepted,	162	101
Athol,	Accepted,	677	275
Attleborough,	Accepted,	1,270	374
Auburn,	Rejected,	113	125
Avon,	Accepted,	147	77
Ayer,	Accepted,	202	111
Barnstable,	Accepted,	318	207
Barre,	Rejected,	73	131
Becket,	Accepted,	38	26
Bedford,	Rejected,	61	69
Belchertown,	Accepted,	96	70
Bellingham,	Accepted,	83	46
Belmont,	Accepted,	433	232
Berkley,	Rejected,	16	37
Berlin,	Rejected,	45	63
Bernardston,	Rejected,	16	34
Beverly,	Accepted,	1,486	992
Billerica,	Rejected,	157	166

Returns of votes cast upon the question of the acceptance or rejection of chapter 503 of the Acts of 1912, being "An Act relative to pensioning laborers in the employ of cities and towns," submitted to the voters of the several cities and towns of the Commonwealth (except to the city of Boston) at the State election held Nov. 5, 1912 — Continued.

CITY OR TOWN.	Result of Vote.	Yes.	No.
Blackstone,	Accepted,	330	101
Blandford,	Rejected,	13	41
Bolton,	Rejected,	35	41
Bourne,	Accepted,	143	69
Boxborough,	Accepted,	23	20
Boxford,	Rejected,	27	45
Boylston,	Rejected,	34	50
Braintree,	Accepted,	612	274
Brewster,	Accepted,	48	15
Bridgewater,	Accepted,	341	151
Brimfield,	Accepted,	35	33
Brockton,	Accepted,	4,054	2,067
Brookfield,	Accepted,	102	63
Brookline,	Accepted,	2,149	1,326
Buckland,	Accepted,	63	58
Burlington,	Accepted,	28	23
Cambridge,	Accepted,	7,452	2,381
Canton,	Accepted,	349	170
Carlisle,	Rejected,	17	32
Carver,	Rejected,	23	23
Charlemont,	Rejected,	22	55
Charlton,	Accepted,	81	63
Chatham,	Accepted,	68	55
Chelmsford,	Rejected,	160	276
Chelsea,	Accepted,	2,342	686
Cheshire,	Rejected,	53	60
Chester,	Accepted,	53	37
Chesterfield,	Rejected,	19	26
Chicopee,	Accepted,	1,235	676
Chilmark,	Rejected,	7	19
Clarksburg,	Accepted,	50	31

Returns of votes cast upon the question of the acceptance or rejection of chapter 503 of the Acts of 1912, being "An Act relative to pensioning laborers in the employ of cities and towns," submitted to the voters of the several cities and towns of the Commonwealth (except to the city of Boston) at the State election held Nov. 5, 1912 — Continued.

City or Town.	Result of Vote.	Yes.	No.
Clinton,	Accepted,	937	374
Cohasset,	Accepted,	189	124
Colrain,	Accepted,	54	47
Concord,	Rejected,	262	450
Conway,	Rejected,	53	55
Cummington,	Rejected,	30	47
Dalton,	Accepted,	291	101
Dana,	Accepted,	31	28
Danvers,	Accepted,	608	489
Dartmouth,	Rejected,	58	171
Dedham,	Accepted,	744	289
Deerfield,	Accepted,	113	51
Dennis,	Accepted,	65	44
Dighton,	Rejected,	57	71
Douglas,	Accepted,	134	55
Dover,	Accepted,	42	36
Dracut,	Rejected,	110	199
Dudley,	Accepted,	158	84
Dunstable,	Rejected,	12	24
Duxbury,	Accepted,	83	55
East Bridgewater,	Accepted,	227	101
East Longmeadow,	Accepted,	61	44
Eastham,	Accepted,	25	19
Easthampton,	Accepted,	410	337
Easton,	Accepted,	332	127
Edgartown,	Accepted,	67	37
Egremont,	Rejected,	32	33
Enfield,	Accepted,	51	33
Erving,	Accepted,	67	28
Essex,	Rejected,	72	95
Everett,	Accepted,	2,558	895

Returns of votes cast upon the question of the acceptance or rejection of chapter 503 of the Acts of 1912, being "An Act relative to pensioning laborers in the employ of cities and towns," submitted to the voters of the several cities and towns of the Commonwealth (except to the city of Boston) at the State election held Nov. 5, 1912 — Continued.

CITY OR TOWN.	Result of Vote.	Yes.	No.
Fairhaven,	Rejected,	192	249
Fall River,	Rejected,	4,052	5,654
Falmouth,	Accepted,	193	109
Fitchburg,	Accepted,	2,223	1,615
Florida,	Accepted,	6	5
Foxborough,	Accepted,	216	114
Framingham,	Accepted,	1,074	447
Franklin,	Accepted,	328	163
Freetown,	Rejected,	22	73
Gardner,	Accepted,	648	298
Gay Head,	Accepted,	5	1
Georgetown,	Accepted,	124	94
Gill,	Accepted,	62	40
Gloucester,	Rejected,	838	1,839
Goshen,	Rejected,	9	11
Gosnold,	Rejected,	9	9
Grafton,	Accepted,	153	127
Granby,	Rejected,	27	46
Granville,	Rejected,	19	24
Great Barrington,	Accepted,	402	162
Greenfield,	Accepted,	733	352
Greenwich,	Rejected,	17	17
Groton,	Accepted,	116	107
Groveland,	Accepted,	111	87
Hadley,	Rejected,	58	68
Halifax,	Accepted,	23	18
Hamilton,	Accepted,	110	79
Hampden,	Rejected,	32	35
Hancock,	Accepted,	16	14
Hanover,	Accepted,	105	67
Hanson,	Accepted,	57	41

Returns of votes cast upon the question of the acceptance or rejection of chapter 503 of the Acts of 1912, being "An Act relative to pensioning laborers in the employ of cities and towns," submitted to the voters of the several cities and towns of the Commonwealth (except to the city of Boston) at the State election held Nov. 5, 1912 — Continued.

CITY OR TOWN.	Result of Vote.	Yes.	No.
Hardwick,	Accepted,	118	56
Harvard,	Rejected,	32	58
Harwich,	Accepted,	103	69
Hatfield,	Rejected,	56	74
Haverhill,	Accepted,	2,600	2,331
Hawley,	Rejected,	1	16
Heath,	Rejected,	8	17
Hingham,	Accepted,	339	212
Hinsdale,	Accepted,	91	28
Holbrook,	Accepted,	178	86
Holden,	Rejected,	87	100
Holland,	Accepted,	7	6
Holliston,	Accepted,	207	136
Holyoke,	Accepted,	2,811	2,733
Hopedale,	Accepted,	219	89
Hopkinton,	Accepted,	201	85
Hubbardston,	Accepted,	50	38
Hudson,	Accepted,	415	167
Hull,	Accepted,	83	31
Huntington,	Accepted,	75	47
Ipswich,	Accepted,	242	151
Kingston,	Accepted,	86	63
Lakeville,	Accepted,	34	26
Lancaster,	Accepted,	96	66
Lanesborough,	Accepted,	53	40
Lawrence,	Rejected,	2,406	4,715
Lee,	Accepted,	287	120
Leicester,	Accepted,	186	114
Lenox,	Accepted,	234	88
Leominster,	Accepted,	898	529
Leverett,	Accepted,	17	14

Returns of votes cast upon the question of the acceptance or rejection of chapter 503 of the Acts of 1912, being "An Act relative to pensioning laborers in the employ of cities and towns," submitted to the voters of the several cities and towns of the Commonwealth (except to the city of Boston) at the State election held Nov. 5, 1912 — Continued.

CITY OR TOWN.	Result of Vote.	Yes.	No.
Lexington,	Accepted,	380	265
Leyden,	Rejected,	11	20
Lincoln,	Rejected,	43	57
Littleton,	Rejected,	45	56
Longmeadow,	Accepted,	94	58
Lowell,	Rejected,	4,173	5,807
Ludlow,	Accepted,	168	55
Lunenburg,	Rejected,	35	87
Lynn,	Accepted,	7,404	3,193
Lynnfield,	Accepted,	89	57
Malden,	Accepted,	3,325	1,441
Manchester,	Accepted,	182	111
Mansfield,	Accepted,	342	184
Marblehead,	Accepted,	509	500
Marion,	Rejected,	55	55
Marlborough,	Rejected,	904	1,022
Marshfield,	Accepted,	86	70
Mashpee,	Accepted,	21	8
Mattapoisett,	Rejected,	45	70
Maynard,	Accepted,	336	132
Medfield,	Accepted,	100	76
Medford,	Accepted,	2,138	897
Medway,	Accepted,	179	89
Melrose,	Accepted,	1,373	931
Mendon,	Accepted,	48	39
Merrimac,	Rejected,	93	119
Methuen,	Rejected,	381	656
Middleborough,	Accepted,	448	270
Middlefield,	Accepted,	11	8
Middleton,	Accepted,	51	10
Milford,	Accepted,	819	313

Returns of votes cast upon the question of the acceptance or rejection of chapter 503 of the Acts of 1912, being "An Act relative to pensioning laborers in the employ of cities and towns," submitted to the voters of the several cities and towns of the Commonwealth (except to the city of Boston) at the State election held Nov. 5, 1912 — Continued.

City or Town.	Result of Vote.	Yes.	No.
Millbury,	Accepted,	208	168
Millis,	Accepted,	98	32
Milton,	Accepted,	607	457
Monroe,	Rejected,	8	8
Monson,	Accepted,	228	140
Montague,	Accepted,	365	142
Monterey,	Rejected,	18	23
Montgomery,	Rejected,	3	10
Mount Washington,	Rejected,	4	5
Nahant,	Accepted,	146	62
Nantucket,	Accepted,	170	98
Natick,	Accepted,	802	417
Needham,	Accepted,	359	186
New Ashford,	Accepted,	4	2
New Bedford,	Rejected,	3,109	5,113
New Braintree,	Rejected,	6	26
New Marlborough,	Accepted,	59	39
New Salem,	Rejected,	15	25
Newbury,	Rejected,	39	122
Newburyport,	Rejected,	623	1,293
Newton,	Accepted,	3,256	1,563
Norfolk,	Accepted,	70	45
North Adams,	Rejected,	986	1,232
North Andover,	Rejected,	273	278
North Attleborough,	Accepted,	724	249
North Brookfield,	Accepted,	104	85
North Reading,	Accepted,	68	50
Northampton,	Rejected,	1,070	1,223
Northborough,	Accepted,	91	88
Northbridge,	Accepted,	462	175
Northfield,	Accepted,	85	68

Returns of votes cast upon the question of the acceptance or rejection of chapter 503 of the Acts of 1912, being "An Act relative to pensioning laborers in the employ of cities and towns," submitted to the voters of the several cities and towns of the Commonwealth (except to the city of Boston) at the State election held Nov. 5, 1912 — Continued.

CITY OR TOWN.	Result of Vote.	Yes.	No.
Norton,	Accepted,	103	79
Norwell,	Accepted,	75	60
Norwood,	Accepted,	627	181
Oak Bluffs,	Accepted,	40	37
Oakham,	Accepted,	15	12
Orange,	Accepted,	382	199
Orleans,	Accepted,	61	36
Otis,	Accepted,	29	21
Oxford,	Accepted,	122	107
Palmer,	Accepted,	464	170
Paxton,	Accepted,	20	16
Peabody,	Accepted,	928	628
Pelham,	Rejected,	13	30
Pembroke,	Accepted,	63	40
Pepperell,	Accepted,	186	105
Peru,	Accepted,	15	7
Petersham,	Rejected,	28	46
Phillipston,	Accepted,	19	12
Pittsfield,	Accepted,	2,873	1,400
Plainfield,	Rejected,	9	22
Plainville,	Accepted,	88	64
Plymouth,	Accepted,	718	359
Plympton,	Accepted,	23	18
Prescott,	Rejected,	9	15
Princeton,	Rejected,	23	38
Provincetown,	Accepted,	96	77
Quincy,	Accepted,	2,268	1,611
Randolph,	Accepted,	379	151
Raynham,	Rejected,	34	61
Reading,	Accepted,	486	287
Rehoboth,	Accepted,	58	34

Returns of votes cast upon the question of the acceptance or rejection of chapter 503 of the Acts of 1912, being "An Act relative to pensioning laborers in the employ of cities and towns," submitted to the voters of the several cities and towns of the Commonwealth (except to the city of Boston) at the State election held Nov. 5, 1912 — Continued.

CITY OR TOWN.	Result of Vote.	Yes.	No.
Revere,	Accepted,	1,767	470
Richmond,	Accepted,	33	24
Rochester,	Rejected,	20	47
Rockland,	Accepted,	595	223
Rockport,	Accepted,	229	192
Rowe,	Rejected,	7	17
Rowley,	Rejected,	62	84
Royalston,	Accepted,	33	22
Russell,	Accepted,	50	27
Rutland,	Accepted,	58	35
Salem,	Accepted,	2,767	1,802
Salisbury,	Rejected,	52	102
Sandisfield,	Rejected,	12	17
Sandwich,	Accepted,	84	42
Saugus,	Accepted,	581	255
Savoy,	Accepted,	20	19
Scituate,	Accepted,	167	105
Seekonk,	Accepted,	52	46
Sharon,	Accepted,	150	98
Sheffield,	Accepted,	106	68
Shelburne,	Rejected,	70	92
Sherborn,	Accepted,	58	52
Shirley,	Accepted,	72	47
Shrewsbury,	Rejected,	84	104
Shutesbury,	Rejected,	6	8
Somerset,	Rejected,	89	141
Somerville,	Accepted,	6,756	2,432
South Hadley,	Accepted,	290	225
Southampton,	Rejected,	20	56
Southborough,	Accepted,	116	72
Southbridge,	Accepted,	704	340

Returns of votes cast upon the question of the acceptance or rejection of chapter 503 of the Acts of 1912, being "An Act relative to pensioning laborers in the employ of cities and towns," submitted to the voters of the several cities and towns of the Commonwealth (except to the city of Boston) at the State election held Nov. 5, 1912 — Continued.

CITY OR TOWN.	Result of Vote.	Yes.	No.
Southwick,	Rejected,	38	41
Spencer,	Accepted,	340	216
Springfield,	Accepted,	7,120	2,989
Sterling,	Accepted,	72	67
Stockbridge,	Accepted,	148	54
Stoneham,	Accepted,	622	275
Stoughton,	Accepted,	482	195
Stow,	Accepted,	47	46
Sturbridge,	Rejected,	59	63
Sudbury,	Rejected,	51	67
Sunderland,	Rejected,	23	29
Sutton,	Accepted,	85	79
Swampscott,	Accepted,	483	307
Swansea,	Rejected,	50	106
Taunton,	Rejected,	1,783	1,808
Templeton,	Accepted,	133	100
Tewksbury,	Rejected,	81	110
Tisbury,	Accepted,	63	45
Tolland,	Rejected,	7	8
Topsfield,	Rejected,	47	51
Townsend,	Accepted,	88	71
Truro,	Accepted,	18	14
Tyngsborough,	Rejected,	32	54
Tyringham,	Rejected,	14	18
Upton,	Accepted,	123	84
Uxbridge,	Accepted,	238	128
Wakefield,	Accepted,	870	431
Wales,	Rejected,	19	21
Walpole,	Accepted,	368	103
Waltham,	Accepted,	2,376	1,290
Ware,	Accepted,	448	205

Returns of votes cast upon the question of the acceptance or rejection of chapter 503 of the Acts of 1912, being "An Act relative to pensioning laborers in the employ of cities and towns," submitted to the voters of the several cities and towns of the Commonwealth (except to the city of Boston) at the State election held Nov. 5, 1912 — Continued.

CITY OR TOWN.	Result of Vote.	Yes.	No.
Wareham,	Accepted,	239	100
Warren,	Accepted,	184	100
Warwick,	Rejected,	15	17
Washington,	Accepted,	12	11
Watertown,	Accepted,	830	415
Wayland,	Accepted,	174	80
Webster,	Accepted,	611	198
Wellesley,	Accepted,	347	210
Wellfleet,	Accepted,	52	16
Wendell,	Accepted,	24	17
Wenham,	Rejected,	46	87
West Boylston,	Rejected,	42	73
West Bridgewater,	Accepted,	138	81
West Brookfield,	Rejected,	58	62
West Newbury,	Accepted,	120	38
West Springfield,	Accepted,	675	147
West Stockbridge,	Accepted,	98	38
West Tisbury,	Rejected,	15	18
Westborough,	Accepted,	280	214
Westfield,	Accepted,	917	688
Westford,	Accepted,	96	88
Westhampton,	Rejected,	12	24
Westminster,	Accepted,	60	57
Weston,	Rejected,	68	231
Westport,	Rejected,	41	118
Westwood,	Accepted,	60	46
Weymouth,	Accepted,	888	450
Whately,	Rejected,	18	24
Whitman,	Accepted,	610	255
Wilbraham,	Accepted,	58	49
Williamsburg,	Rejected,	103	108

Returns of votes cast upon the question of the acceptance or rejection of chapter 503 of the Acts of 1912, being "An Act relative to pensioning laborers in the employ of cities and towns," submitted to the voters of the several cities and towns of the Commonwealth (except to the city of Boston) at the State election held Nov. 5, 1912 — Concluded.

CITY OR TOWN.	Result of Vote.	Yes.	No.
Williamstown,	Accepted,	189	182
Wilmington,	Accepted,	110	68
Winchendon,	Accepted,	236	160
Winchester,	Accepted,	702	434
Windsor,	Accepted,	13	7
Winthrop,	Accepted,	1,022	515
Woburn,	Accepted,	1,182	770
Worcester,	Accepted,	9,277	6,034
Worthington,	Rejected,	9	34
Wrentham,	Accepted,	98	70
Yarmouth,	Accepted,	101	49

Returns of votes cast upon the question of acceptance or rejection of chapter 546 of the Acts of 1912, being "An Act relative to vacations of members of fire departments," submitted to the voters of the several cities of the Commonwealth (except Boston and Brockton) at the annual city election in 1912.

City.	Result of Action.	Vote.	
		Yes.	No.
Beverly,	Accepted,	2,178	822
Cambridge,[1]	Accepted,	6,323	2,040
Chelsea,	Accepted,	3,394	851
Chicopee,	Accepted,	1,930	672
Everett,	Accepted,	2,409	663
Fall River,	Accepted,	8,392	4,758
Fitchburg,	Accepted,	3,132	1,474
Gloucester,	Accepted,	2,006	1,308
Haverhill,	Accepted,	4,901	1,404
Holyoke,	Accepted,	3,737	2,587
Lawrence,	Accepted,	5,254	3,731
Lowell,	Rejected,	5,286	6,753
Lynn,	Accepted,	9,821	4,327
Malden,	Accepted,	3,855	1,064
Marlborough,	Accepted,	1,298	964
Medford,	Accepted,	1,958	525
Melrose,	Accepted,	1,527	644
New Bedford,	Accepted,	5,085	4,079
Newburyport,	Accepted,	1,200	986
Newton,	Accepted,	2,407	1,349
North Adams,	Accepted,	1,529	1,021
Northampton,	Rejected,	1,113	1,462
Pittsfield,	Accepted,	3,942	941
Quincy,	Accepted,	2,163	1,529
Salem,	Accepted,	4,588	1,873
Somerville,	Accepted,	5,712	1,685
Springfield,	Accepted,	7,464	2,264
Taunton,	Rejected,	1,970	2,969
Waltham,	Accepted,	2,473	1,452
Woburn,	Accepted,	1,623	776
Worcester,	Accepted,	13,183	5,301

[1] At annual election held March 11, 1913.

Returns of votes cast upon the question of the acceptance or rejection of chapter 566 of the Acts of 1912, being "An Act to provide for an Independent Agricultural School in the County of Bristol," submitted to the voters of the county of Bristol at the State election held Nov. 5, 1912.

CITY OR TOWN.	Yes.	No.	CITY OR TOWN.	Yes.	No.
Acushnet,	73	47	North Attleborough,	741	218
Attleborough,	1,223	377	Norton,	154	45
Berkley,	49	19	Raynham,	73	38
Dartmouth,	124	110	Rehoboth,	90	20
Dighton,	127	32	Seekonk,	134	40
Easton,	337	110	Somerset,	167	70
Fairhaven,	227	203	Swansea,	134	37
Fall River,	6,790	2,255	Taunton,	2,307	1,116
Freetown,	68	37	Westport,	89	80
Mansfield,	396	131	Totals,	17,869	8,042
New Bedford,	4,566	3,057			

Returns of votes cast upon the question of the acceptance or rejection of chapter 587 of the Acts of 1912, being "An Act to provide for the establishment and maintenance of an Independent Agricultural School in the County of Essex," submitted to the voters of the county of Essex at the State election held Nov. 5, 1912.

City or Town.	Yes.	No.	City or Town.	Yes.	No.
Amesbury,	660	242	Methuen,	833	225
Andover,	514	202	Middleton,	91	44
Beverly,	1,784	557	Nahant,	167	32
Boxford,	63	14	Newbury,	110	57
Danvers,	904	225	Newburyport,	1,227	551
Essex,	131	48	North Andover,	460	118
Georgetown,	198	44	Peabody,	1,183	413
Gloucester,	1,790	603	Rockport,	317	96
Groveland,	163	53	Rowley,	106	56
Hamilton,	150	47	Salem,	3,389	859
Haverhill,	3,887	758	Salisbury,	102	49
Ipswich,	345	100	Saugus,	732	135
Lawrence,	4,852	1,637	Swampscott,	679	145
Lynn,	8,787	1,562	Topsfield,	107	24
Lynnfield,	134	26	Wenham,	92	47
Manchester,	236	73	West Newbury,	106	61
Marblehead,	802	201	Totals,	35,279	9,349
Merrimac,	178	45			

Returns of votes cast upon the question of acceptance or rejection of chapter 635 of the Acts of 1912, being "An Act relative to tenement houses in towns," submitted to the voters of the several towns in the Commonwealth at an annual town meeting or at a legal meeting called for the purpose.

Towns.	Date of Action.	Result of Action.	Yes.	No.
Stoneham,	Oct. 16, 1912	Accepted,	–[1]	–
Watertown,	Nov. 29, 1912	Accepted,	615	132
Weymouth,	Nov. 30, 1912	Accepted,	116	20
Winthrop,	Oct. 11, 1912	Accepted,	–[1]	–

[1] Accepted, yeas and nays not taken.

CHANGE OF NAMES.

CHANGE OF NAMES OF PERSONS.

In compliance with the requirement of the Revised Laws, chapter 154, section 14, the returns of the following Changes of Names have been received in the office of the Secretary of the Commonwealth, as decreed by the several Probate Courts of the Commonwealth in their respective counties: —

BARNSTABLE COUNTY.

Date of Decree.	Original Name.	Name Decreed.	Residence.
1912.			
July 9	Mary Theresa Carr,*	Mary Theresa Shevlin,	Sandwich.
Aug. 13	George Murray,*	Lawence Crocker Bassett,	Harwich.
13	Geraldine O'Neil,*	Geraldine Phinney,	Barnstable.

BERKSHIRE COUNTY.

Jan. 3	Mary Ellen Armstrong,*	Mary Eveline Morley,	Lee.
5	Nancy Kelley,*	Nancy Comisky,	North Adams.
5	Bessie Kelley,*	Bessie Comisky,	North Adams.
29	Katherine Louise Clancy,*	Katherine Louise McKenna,	Pittsfield.
Feb. 6	Florence Mildred MacAuley,*	Florence Mildred Beach,	New Ashford.
10	Mary Borgotal,*	Mary Borgotal Wasglewski,	Pittsfield.
Mar. 5	Paul Howard,	Paul Malleville Howard,	Williamstown.
Apr. 2	Bessie E. Sherman,*	Bessie E. Bennett,	Cheshire.
2	Mary Josephine Dupont,*	Mary Josephine Reisser,	Lenox.
15	Garabed Najarian,	Garabed George Najar,	Great Barrington.
22	Beatrice L. Tellier,*	Beatrice L. Howard,	Dalton.
May 7	Paul Otto Lacow,*	Paul Elbridge Wood,	Dalton.
7	Carrie Guy,*	Carrie Elizabeth Barber,	Hancock.
7	Joseph D. Dunn,*	Joseph D. Carr,	Pittsfield.
7	Mary Agnes Dunn,*	Mary Agnes Greb,	Pittsfield.
7	Rachel Schultz,*	Rachel Louise Smith,	Williamstown.
June 28	Athel Bertha Boyd,*	Athel Bertha Taylor,	North Adams.
July 16	Charles B. Gale,	Carl B. Gale,	Lee.
Aug. 8	Arthur Richard Dixon,*	William Francis Huyck,	Great Barrington. Rensselaer, N. Y.
10	Margaret Harrington,*	Margaret Kline,	Dalton and Cheshire.
10	William Harrington,*	William Ryan,	Dalton and Cheshire.
Sept. 30	Robert Steel,*	Robert Irving Ostrander,	Pittsfield.
Oct. 1	Viola Gertrude Blow,*	Elizabeth Sarah Hollis,	Pittsfield.
3	Clementine Gladys Mason,*	Sarah Jane Roe,	North Adams.
10	Edwin Almus Hayward,*	Edwin Almus Cooke,	Pittsfield.
26	Elizabeth Buckley,*	Elizabeth McKenzie,	Pittsfield.
28	Leo Belanger Vanesse,*	Richard Oscar Welch,	Hartford, Conn. Pittsfield.
30	Gertrude Kincaid,*	Gertrude Kincaid Pratt,	North Adams.
Dec. 14	Daisy Belle Garrison,*	Eleanor Leary,	Stockbridge.
23	Bertha Inez Brooks,*	Bertha Inez Kinney,	Adams.

BRISTOL COUNTY.

Jan. 5	Alma Foster,*	Alma Kruger,	Fall River.
5	Ora E. Moore,*	Ora E. Boardman,	Hubbardston.
19	Mabel Boucher,*	Mabel Poisson,	New Bedford.
19	Agnes Boucher,*	Agnes Belvery,	New Bedford.

* Changed by reason of adoption.

BRISTOL COUNTY — Concluded.

Date of Decree.	Original Name.	Name Decreed.	Residence.
1912.			
Jan. 19	Yvonne Boucher,*	Yvonne St. Germain,	New Bedford.
19	Edith Hannah Dideski,*	Edith Hannah Coupe,	Attleborough.
Feb. 2	Alice M. Alcock,*	Alice May Briggs,	New Bedford.
2	Florence May Holmes,*	Lillian May Broadbent,	Boston.
Mar. 8	Harold Lovell Martell,*	Harold Lovell McLaughlin,	North Attleborough.
Apr. 5	George Reed,*	George Manton,	Fall River.
5	James Reed,*	James Manton,	Fall River.
20	Clifford Frederick Balser,*	Vernon Wesley Bean,	Attleborough.
20	Annie Loney,*	Annie Butler,	Taunton.
May 3	John Morris Riley,	John Morris,	New Bedford.
3	Althea B. Bosworth,*	Althea Bosworth Dammon,	New Bedford.
June 7	Florence E. Hood,	Florence E. Waterman,	Seekonk.
7	Fredrich Fritz Greenberg,	Fredrich Behn,	North Attleborough.
7	Joseph Cornelius Hayes,*	Joseph Alfred Lincoln,	Taunton.
7	Charles Reckords,*	Charles Reckords Dowbekin,	New Bedford.
14	Herbert Peter Boylan,*	Herbert Peter Boylan Eastman,	Rehoboth.
14	Charles Cobb,	Reuben J. Sargent,	North Attleborough.
Aug. 2	Byron Ellsworth Cottle,*	Byron Ellsworth Lord,	Fall River.
2	Carrie Louise Couch,*	Carolyn Westgate,	——.
Sept. 13	Albert Chandler,	Albert Langevin,	Fall River.
13	Mary Frances Gabriel Daley,*	Mary Frances O'Donnell,	Fall River.
13	Agnes M. Courville,*	Agnes M. Rochon,	Fall River.
20	Mary Bartley Coppinger,*	Mary Bartley Critchley,	Fall River.
20	Arthur Hesford,*	Arthur Jones,	New Bedford.
20	Clifford Hill,*	Clifford Mudge,	New Bedford.
Oct. 4	Edmund Ray Jenney,*	Edmund Ray Jenney Braley,	New Bedford.
11	Alice M. Smith,*	Alice Myrtle Stanton,	Attleborough.
11	Rose Anna Stiles, alias Arline F. Moore,*	Arline Beatrice Dole,	Springfield.
Nov. 1	Mary Doris Baker,*	Mary Doris Cooper,	New Bedford.
15	Carl Kirkwood Conway,*	Carl Kirkwood Leonard,	Easton.
Dec. 6	Edith Caroline Rogers, alias Edith Caroline Withey,	Edith Caroline Jackson,	Attleborough.
6	Helen F. Welsh,*	Helen F. Corrigan,	Fall River.
6	Owen J. Welsh,*	Owen J. Corrigan,	Fall River.
6	Magnus Peter Arvid Hoglund,	Magnus Peter Arvid Lind,	Attleborough.
13	George O. Woodward,*	Harold W. Hargreaves,	Mansfield.
13	Alexander Leshinsky,	Alexander C. Lash,	Fall River.
20	Charles Leshinsky,	Charles Lash,	Fall River.
20	Jack Edward Leshinsky,	Jack Edward Lash,	Fall River.
20	George Walker,*	George Barth,	Fall River.
20	Almira Normandie Upchurch,*	Almira Normandie Cady,	Taunton.

COUNTY OF DUKES COUNTY.

Sept. 3	Manuel J. Pacheco,*	Manuel O. Perry,	Oak Bluffs.

ESSEX COUNTY.

Jan. 8	Melvin Walter Scott,*	Carl Fox,	Danvers.
8	Remi Daudelin,	George Remi Daudelin,	Methuen.
11	Lillian Gustafson,*	Lillian Carlson,	Lynn.
18	Frank Thompson Caldwell,*	Frank Thompson Caldwell Hale,	Newbury.
Feb. 1	—— Lake,*	Paul Everard McAvoy,	Haverhill.
1	Bernice Irene Moriarty,*	Bernice Irene Turner,	Haverhill.
8	Bernard R. D. Norton,*	Richard MacFarland,	Swampscott.
8	Paul E. Norton,*	Paul MacFarland,	Swampscott.
8	Sadie A. Norton,*	Sadie Arletta MacFarland,	Swampscott.
12	Rosie McNamara,*	Rosie Roberts,	Beverly.
19	Edna Laurel Chase,	Edna Laurel Cloutman,	Marblehead.
29	Mabel MacDonald,*	Florence Mabel Darling,	Andover.
Mar. 4	William Breed Cummings,*	William Breed Bray,	Lynn.

* Changed by reason of adoption.

ESSEX COUNTY — Concluded.

Date of Decree.	Original Name.	Name Decreed.	Residence.
1912.			
Mar. 14	Medora Wharff Mason,	Medora Wharff,	Gloucester.
25	Dora Checowey,	Dora Woodman,	Newburyport.
25	Ida Checowey,	Ida Woodman,	Newburyport.
25	Jacob Checowey,	Jacob Woodman,	Newburyport.
25	Julius Checowey,	Julius Woodman,	Newburyport.
25	Louis Checowey,	Louis Woodman,	Newburyport.
28	Van Herbert Parker,*	Van Herbert Babb,	Lawrence.
Apr. 8	Anna Elizabeth Clark,*	Carolyn Gannon,	Springfield.
15	Christina Louise Dailey,*	Hazel Louise Wiley,	Saugus.
15	Inez Virginia Dale,	Florence Augusta Dale,	Danvers.
22	Ina May Pierson,*	Rebecca Merrill,	Boston.
29	Irvin Willard Rand,*	Irvin Willard Dyke,	Newburyport.
May 6	Peter Williams,*	John Vadala,	Gloucester.
13	Hazel Maria Durdle,*	Mildred Mary Streeter,	Boston.
13	George Hamer,*	George Hamer Hollows,	Lawrence.
13	Samuel Green,	Samuel Sussman,	Lynn.
13	Mary Green,	Mary Sussman,	Lynn.
13	Julius Green,	Julius Sussman,	Lynn.
13	Saul Green,	Saul Sussman,	Lynn.
13	Lillian Green,	Lillian Sussman,	Lynn.
13	Alice Green,	Alice Sussman,	Lynn.
13	Lewis Green,	Lewis Sussman,	Lynn.
20	Samuel H. Junkins, Junior,	Lawrence Borden Foster,	Boston.
23	Ruth Edith Martin,*	Ruth Edith Goldsmith,	Lynn.
23	Harriet Morrison,*	Grace Murphy,	Salem.
27	Ernest Wilkins,*	Ernest Everett Banks,	Marblehead.
31	Maude Black,*	Beatrice Louise McGuffin,	Boston.
June 10	Lydia Jane Bean,	Birdella Jane Bean,	Haverhill.
13	Granville Martinson,*	John Granville Osborne,	Marblehead.
17	Maciej Andruzkievitch,	Michael Anderson,	Haverhill.
17	Agnes Andruzkievitch,	Agnes Anderson,	Haverhill.
17	Mary Eva Andruzkievitch,	Mary Eva Anderson,	Haverhill.
17	Frances Agnes Andruzkievitch,	Frances Agnes Anderson,	Haverhill.
17	Veronica May Andruzkievitch,	Veronica May Anderson,	Haverhill.
17	William Andruzkievitch,	William Anderson,	Haverhill.
17	Joseph Andruzkievitch,	Joseph Anderson,	Haverhill.
17	Helen Maria Hussey,	Helen Maria Very,	Salem.
July 1	Charles Everett Mudge,*	Charles Everett Means,	Lynn.
8	Doris Anna Sargent,*	Doris Sargent Jones,	Danvers.
11	Israel Blumfil,	Israel John Bloomfield,	Haverhill.
18	Charles Grisnor,*	Charles Nichols Papps,	Haverhill.
22	Fredrick Glennon, *	Fredrick Kelleher,	Somerville.
29	John Bean,*	John Decatur Aiken,	Georgetown.
29	Nina Gertrude McGlone,*	Nina Gertrude Jones,	Danvers.
Aug. 8	Doris Smith,*	Doris Maloney,	Brookline.
15	Marguerite Francis Potter,*	Marguerite Francis Wiggin,	Chelsea.
19	Lillian May Dean,*	Clara Louise McNeil,	Swampscott.
22	Georgie P. Phillips,*	Anna Phillips Allen,	Marblehead.
Sept. 3	Ruth Eleanor Prime,*	Eleanor Ruth Pierce,	Lynn.
5	Dorothy May Cloutman,*	Marshie Elizabeth Barnstead,	Lynn.
9	Malcolm H. Conway,	Malcolm Harvey McLeod,	Lynn.
16	Pincus Naphtali Steinhart,*	Pincus Naphtali Lyons,	Lynn.
26	Blanche Burns,*	Blanche Page,	North Andover.
30	Alice Roscovitz,*	Alice Cohen,	New Bedford.
30	Max Alter,	Max Alper,	Gloucester.
Oct. 3	Muriel May Tibbetts,*	Muriel May Snell,	Lynn.
10	Frieda Schindler,*	Frieda Schindler Fassler,	Lawrence.
14	Beatrice Smith,*	Beatrice Lavinia Estabrook,	Beverly.
14	Bertha A. Wells,*	Bertha Arlin Cilley,	Newburyport.
24	Alice Irene Francis Emerson,*	Alice Irene Francis Emmons,	Haverhill.
24	Benjamin Julius Schrimsky,*	Benjamin Julius Hayes,	Lynn.
Nov. 25	Grace Knowlton,*	Alice Louise Armstrong,	Lynn.
25	Abraham Lebowich,	Abraham Lebow,	Lawrence.
25	Theodora Josephine Shrzekowska,*	Theodora Josephine Drabinowicz,	Salem.
Dec. 5	Carmen Lacomblez,*	Carmen Simon,	Lawrence.
19	Isabelle Ballard,*	Isabelle Shepard Ballard,	Marblehead.
23	Edith Florence Briggs,*	Edith Florence Greenough,	Salem.

* Changed by reason of adoption.

FRANKLIN COUNTY.

Date of Decree.	Original Name.	Name Decreed.	Residence.
1912.			
Jan. 16	(Infant) Wessels,*	Charles Ward Goodale,	Greenfield.
Mar. 5	Evelene Carpenter,*	Eveline Lois Hocum,	Conway.
May 7	Stanley V. Kubyt,*	Stanley Kuczynski,	Montague.
21	Ethel May Stevens,*	Ethel May Goldsmith,	Orange.
Aug. 6	Gertrude Wilson,*	Gertrude Marion Perry,	New Salem.
Dec. 17	Lee Martin,*	Wayne Alonzo Smith,	Leverett.

HAMPDEN COUNTY.

Feb. 7	Mary Ferreira,*	Mabel Louise Dayton,	Chicopee.
7	Viola Caroline Herrick,*	Carolyn Rachel Ball,	Monson.
7	Harold Fisher,*	William Mandascar Johnson,	Springfield.
21	Ernestine Dubois,*	Doris Elizabeth Morrill,	Springfield.
21	David Chauncey Ferdeman,	David Chauncey Ferdinand,	Springfield.
Mar. 6	Hester Ann Lincoln,*	Hester Ann Wilder,	Springfield.
Apr. 3	Margaret Williams,*	Lillian Genevieve Boedeker,	East Longmeadow.
3	Rhea Lottie Curtin,*	Rezelia Ohls,	Agawam.
3	Florence May Spear,*	Lois Murray Vance,	Springfield.
May 1	Velda Ruth Boynton,*	Barbara Boynton Towne,	Holyoke.
15	Frank Edgar Henry,	Frank Edgar Shackett,	Springfield.
15	Edith Parks,*	Genevieve Hayes,	Springfield.
June 5	Angie M. Hutchins,*	Helen Sauer,	Springfield.
19	Aloisie Jarsova,	Aloisie Jarsova Eddy,	Springfield.
Sept. 4	Dorothy McCausland,*	Dorothy Ernestine Harris,	Chicopee.
4	Grace Hall,*	Grace Cody,	Holyoke.
18	Orvis Hiram Frazer,	John Hiram Clark,	Westfield.
Oct. 2	Clement Reidy,*	Ulysses William Young,	North Thetford, Vt.
16	Minnie Clark,*	Edith Louise Davis,	Holyoke.
Nov. 6	Harriet M. McIntyre,*	Harriet McIntyre Davis,	Springfield.
6	Doris Althea Snell,*	Ruth Lawson Anderson,	Springfield.
20	Maud Belle McDonald,*	Maud Louise Parker,	Palmer.
Dec. 4	Ruth Opal Clark,*	Ruth Opal Churchill,	Springfield.
18	Charles Gould,*	Charles Wells Cowan,	Holyoke.

HAMPSHIRE COUNTY.

Feb. 6	Blanche Ellen Graveline,*	Blanche E. Shepard,	Easthampton.
6	Milo Luzerne Smith,	Harry De Ormond Parker,	Northampton.
16	Patrick Whiston,*	Harry Petit,	Northampton.
May 14	Stella May Bryant,*	Katharyn May Macomber,	Amherst.
July 2	Elizabeth Muriel Van Ness,*	Elizabeth Muriel Derrick,	Granby.
Oct. 1	Richard Moulton,	Richard Moulton Hamilton,	Enfield.
Nov. 6	Joseph Murphy,	Joseph Southworth Roberts,	Northampton.

MIDDLESEX COUNTY.

Jan. 10	Helen Reid,*	Agatha Constance Hosmer,	Medford.
12	Annie Gertrude Philpott,*	Annie Gertrude McNeil,	Marlborough.
17	Wilbur Abner Dumas,*	Wilbur Abner Hart,	Ayer.
17	Bernard Clifford Watson Soares,	Clifford Watson Sears,	Medford.
17	Ignacio Nathaniel Soares,	Nathaniel Sears,	Framingham.
17	Cora L. Kable,	Cora B. Littlehale,	Tyngsborough.
18	Philip Randall Curtis,*	Philip Randall Heyes,	Newton.
18	Raymond Murphy,*	Raymond Tierney,	Boston.
19	Grace Eleanor Collins,*	Virginia Hunkins,	Boston.
Feb. 2	Florence Haskell,*	Florence Elvira Weaver,	Malden.
13	Bertha Eugenia Parker,*	Bertha Eugenia Symes,	Boston.
21	Mabel Gertrude Gilman,*	Mabel Gertrude Ranger,	Cambridge.
21	Florence B. Lindstrom,*	Florence B. Hurd,	Medford.
21	Charles Allen Lindstrom,*	Charles Allen Hurd,	Medford.

* Changed by reason of adoption.

MIDDLESEX COUNTY — Continued.

Date of Decree.	Original Name.	Name Decreed.	Residence.
1912.			
Feb. 21	Ruth Brunton Elliott,*	Ruth Elliott Dunmore,	Boston.
26	Helen Josephine Murphy,*	Helen Josephine Flynn,	Somerville.
26	Elias Schwartz,	Elias Edward Schwartz,	Somerville.
27	Ivory Ronell Wheeler,*	Ivory Ronell Kilton,	Malden.
28	Frances M. Labram,*	Frances M. Hall,	Everett.
28	Harry Willis,*	Raymond Harrington,	Brockton.
Mar. 2	Stella Gray Webster,	Stella Gray Howe,	Marlborough.
7	Henry Gabay,*	Edward Arthur Duncan,	Lynn.
14	Gertrude N. Cox,	Gertrude N. Langley,	Westford.
15	Hazel Vivian Bernhardt,*	Hazel Vivian Foyer,	Melrose.
18	David Jacob Sokolovsky,*	David Jacob Mendelowitch,	Cambridge.
19	Michael Stoliaroff,	Michael Staller,	Cambridge.
21	Helen Irene Swanson,*	Helen Hunt,	Boston.
22	Harold Lindgren,*	Harold Axel Swanson,	Cambridge.
25	Annie Devlin,*	Agnes Annie Phelan,	Everett.
28	Elizabeth Preble,*	Elizabeth Pepper,	Waltham.
29	Emma Jane Webber,*	Emma J. Webber Lepine,	Marlborough.
Apr. 2	Mona Steadman,*	Mona Taft Kittredge,	Boston.
3	Ella M. Boothby,	Ella M. Kenerson,	Cambridge.
12	Gustav Max George Feige,	Gustav Feige Braun,	Everett.
12	Abraham Mortimer Schoenfeld,	Arthur Mortimer Fields,	Cambridge.
12	Waldemar Stewart,	Otto Waldemar Swenson,	Lowell.
15	Carl Bjorndahl,	Carl Dahl,	Melrose.
22	Mildred Louise Joel,*	Elizabeth Alden Daniels,	Cambridge.
23	Robert Freeman Davis,*	Robert Daniels Wilcox,	Waltham.
30	Martha Shaw Ridley,*	Martha Shaw Wilson,	Haverhill.
30	Frank Finn,*	Frank Hamilton,	Milford.
30	Helen Connors,* (so-called),	Helen Margaret Steeves,	Boston.
May 2	Ellen Carey,	Nellie M. Donovan,	Lexington.
6	Harold B. Thompson,*	Harold John Bartlett,	Wakefield.
8	George Herbert Jefferson,	George Herbert Richardson,	Lowell.
8	Richardson Perry Jefferson,	Richardson Perry Richardson,	Lowell.
10	Margaret Fuller,*	Margaret Boyd,	Somerville.
15	Francis Philip Doran, alias Francis Philip Fagan,*	Francis Philip Kerr,	Wakefield.
16	Lillian Eleanor Speer,*	Lillian Eleanor Tarbox,	Somerville.
20	Dorothy James,*	Dorothy James Hamilton,	Medford.
21	Emma Viola Toupin,*	Violetta Emma Voisard,	Lowell.
22	Louise Creden,*	Dorothy Gladys West,	Boston.
22	George Anderson Richardson,*	George Anderson Cummings,	Wakefield.
23	Erik Oscar Borgstedt,*	Erik Oscar Polson,	Woburn.
29	Mary Margaret O'Donnell,*	Mary Margaret Coffin,	Somerville.
June 1	Gilbert Henry De Roche,*	George Henry Edson,	Leominster.
3	Annie R. Lynch,*	Annie R. Luby,	Malden.
3	Morris Levine,	Morris Burwen,	Wakefield.
5	Garabed Henry Tarjanian,	Charles Henry Tarjan,	Cambridge.
5	Louise Adelaide Lienemann,*	Louise Adelaide Lienemann Jenks.	Newton.
5	Matthew McGillon,*	Donald Hutton,	Malden.
11	Clara Josephine Whealen,*	Clara Josephine Cotter,	Belmont.
12	Charles Herbert Scgulze,*	Charles Herbert Combloom,	Everett.
14	Harold Hall,*	Harold Putnam,	Malden.
18	Ruth Mildred Brubaker,*	Ruthken Marianna Hilton,	Lowell.
18	Raphael McMillan,*	Henry Belanger,	Lowell.
22	Samuel J. Manschowitz,	Samuel J. Manson,	Malden.
26	Elizabeth Eveleth Brown,*	Elizabeth Eveleth,	Cambridge.
28	Frances Mary Chapin,*	Mary Kelly,	Waltham.
July 2	Constance Columbia Brubaker,*	Constance Cleopatra Hilton,	Lowell.
11	Frederick A. Adams,*	Frederick A. Dermott,	Waltham.
12	Joseph Henry Farrell,*	Joseph Henry Simonds,	Lynn.
19	Frances Irene Damon,*	Frances Elizabeth Russell,	Malden.
23	Emma H. E. Neilson,*	Bernice Maud Whitehouse,	Boston.
23	Tressa M. Salkus,*	Tressa Mildred Vail,	Everett.
23	Edna May Salkus,*	Edna May Clark,	Everett.
23	Eugene Edward Meylor,*	Eugene Edward Cox,	Melrose.
25	Arthur Bedford Thomson,*	Arthur Bedford Farrell,	Cambridge.
Aug. 14	John Freeman Frye,	John Addison Frye,	Marlborough.
Sept. 9	James G. Jackson, alias James Raymond Garrison,*	James Garrison Morris,	Worcester.

* Changed by reason of adoption.

MIDDLESEX COUNTY — Concluded.

Date of Decree.	Original Name.	Name Decreed.	Residence.
1912.			
Sept. 9	Caroline Bethelia Preble,*	Dorothy Helen Garbutt,	Concord.
9	Cecilia Isabella McLean,*	Dorothy Marie Watt,	Boston.
11	Ronald Mahoney,*	Lawrence McCauley,	Woburn.
13	Frances Cathrine Brown,*	Darlene Elizabeth Boyce,	Boston.
13	Malcolm E. Blair,*	Malcolm E. Wallace,	Marlborough.
17	Marie Aurelie Yvonne Magnan,*	Victoire Lambert,	Lowell.
17	Emily Ruth Maloney,*	Emily McAllister,	Lowell.
17	Irene Brett,*	Irene Luella Woodard,	Lowell.
26	Winifred Louise Sparks,*	Mary Alden Wright,	Newton.
30	Marguerite C. Feltis,*	Marguerite Christy Hamilton,	Everett.
30	Frances Joyce Moir,*	Frances Joyce Hatch,	Newton.
30	Adelaide Moir,*	Adelaide Hatch,	Newton.
Oct. 1	Agatha Carroll Long,*	Dorothy Eleanor Guild,	Boston.
1	Elizabeth Stevens (so-called),	Lillian Romaine Schoenberger,	Boston.
2	James Leslie Blythe,*	Leslie Blythe Vaughan,	Malden.
3	Dorothy Virginia McKenney,*	Ethel Louise Mason,	Schenectady, N. Y.
3	Roland Cummings,*	James Phillips Mason,	Quincy.
8	William Joseph MacDonald,*	Robert Burton Tweedie,	Ayer.
9	Grace Barnard,*	Grace Ellen Hutchinson,	Holliston.
14	Dorothy Tilton Ford,*	Marie Georgianna Pauline Pagé,	Framingham.
14	Milton Thompson Coffin,	Milton Tristram Coffin,	Newton.
17	Louis Kaminsky,	Louis Kamins,	Cambridge.
18	Marie G. Adamian,	Marie G. Mouradian,	Newton.
18	Charles S. Chamberlin,*	Charles Hill,	Everett.
21	Marie Curtis Ranney,*	Marie Ranney Chandler,	Belmont.
23	Robert Macdonald,*	John Quinn,	Boston.
23	Catherine Kearns,*	Mary Robbins,	Boston.
24	Walter Arnold,*	Walter Grant,	Boston.
25	Eleanor Mary Bertram,*	Eleanor Mary Attridge,	Ayer.
29	George Carreaux,*	George Donovan,	Ludlow.
29	Peter Albert McLean,*	Albert Peter McSweeney,	Boston.
29	Charles Edward Widegren,*	Edward Arvid Lybeck,	Wakefield.
Nov. 4	Salvatore Cutretta Pispisa,	Salvatore Cutretta Salvini,	Cambridge.
6	Helen Margaret Kennedy,	Helen Margaret White,	Winchester.
7	Leon Ghazarosian,	Leon Kelvin,	Cambridge.
7	Dorris Donovan,*	Dorris Hodgins,	Malden.
12	Florence Louise Wilson,*	Florence Louise Burk,	Everett.
19	Joseph Donahue,*	Joseph Maynard,	Boston.
19	Marion Donahue,*	Marion Maynard,	Boston.
20	Tillie Taylor,*	Tillie Porter,	Worcester.
20	Arnold Anthony Aldridge,*	Arnold Edward McCullough,	Cambridge.
22	Edwina Murphy,*	Dorethea McKenzie,	Boston.
25	Elsie Blanche French,*	Elsie Lynn Cole,	Lowell.
26	Almira E. Winslow,	Myra Winslow,	Waltham.
Dec. 2	Peter Heslin,*	Peter Curran,	Lowell.
4	Ida Belle Vibbard Brown,	Ida Belle Vibbard,	Lowell.
9	Inez Atalanta Laidlaw,*	Inez Atalanta Hallett,	Malden.
10	Wilfred Dwight Bemis,*	Wilfred Bemis Tarbox,	Marlborough.
10	Charles Lucien Baslé, Jr.,	Charles Temple Baslé,	Waltham.
24	Sarah Fogarty,*	Sarah Kingsley Reardon,	Cambridge.
27	Ruth Saffer,*	Helen Elizabeth Ham,	Arlington.
30	George Johnson,*	George Wakefield,	Boston.

NORFOLK COUNTY.

Jan. 3	Augusta Stevens Brooks,*	Helen Augusta Stevens,	Needham.
3	Georgia L. Cummings,*	Georgia Langdon Cushing,	Weymouth.
10	John Cushing Chase,*	John Chase Hubbard,	Braintree.
24	—— Waitt,*	Gilbert Wrisley Arnold,	Quincy.
Feb. 7	Blanche A. Pearl Jeffery,	Blanche A. Pearl,	Brookline.
21	Grace Theresa Morgan,*	Grace Mildred Theresa Low,	Norwood.
21	Ira Metcalf Holmes,*	Ira Metcalf Redman,	Brookline.
21	Helen Elizabeth Holmes,*	Helen Elizabeth Redman,	Brookline.
Apr. 17	Emily Agnes Donohue,*	Jennie Emily Chase,	Stoughton.
May 1	Dorothy V. Miller,*	Dorothy Vida Walker,	Dedham.
1	Dwight S. Miller,*	Dwight Spencer Walker,	Dedham.

* Changed by reason of adoption.

NORFOLK COUNTY — Concluded.

Date of Decree.	Original Name.	Name Decreed.	Residence.
1912.			
May 15	Kendall Bailey,*	Kendall Blanchard,	Brookline.
June 12	Winifred Esther Barber,*	Winifred Esther De Coste,	Dedham.
12	Benjamin L. Cotlevski,	Benjamin L. Kartt,	Wellesley.
26	Christian Christianson,	Christian Wilson,	Brookline
July 24	Francis Frazier,*	Thomas Francis Morris,	Wellesley.
24	Mary Cook,*	Rhoda Mildred Stuart,	Quincy.
24	Evelyn Catherine Wade,*	Dorothy Janet Short,	Walpole.
Sept. 4	Margaret Nuttall,*	Margaret Martin,	Weymouth.
11	Florence Edith Rich,*	Florence Louise Floyd,	Sharon.
Oct. 2	Eva Blanche Brown,*	Eva Caroline Marion,	Quincy.
2	Carl Johan Nordstrom Goranson,*	Carl Johannes Andeer,	Avon.
2	John Palmer Gindrat,*	John Palmer Custis,	Brookline.
23	Rutledge Glen Molander,*	Glen Rutledge Fullerton,	Stoughton.
Nov. 6	John Christian Edward Twenstrop	Christian Twenstrop Dane,	Brookline.
26	Sidney Atherton Glidden,*	Sidney Atherton O'Neill,	Foxborough.

PLYMOUTH COUNTY.

Jan. 8	—— Porter,*	Julian E. Packard,	Brockton.
8	Kazimir Antonie Petkus,	Charles Arthur Brown,	Brockton.
8	John Le Baron Smith,*	John Le Baron Conboye,	Brockton.
22	Madeline Louise Locke,*	Madeline Flora Packard,	Brockton.
Feb. 12	Frank Leslie Withey,*	Frank Leslie Peterson,	Brockton.
12	Ralph Studley Withey,*	Ralph Studley Peterson,	Brockton.
12	William Whitney Withey,*	William Whitney Peterson,	Brockton.
26	Robert Hurvitz,*	Robert Rosengarten,	Brockton.
Mar. 11	Cora M. Morrison,	Cora M. Packard,	Brockton.
25	James J. Carlson,*	Walter Samuel Hardwick,	Scituate.
Apr. 8	Eliot F. White,*	Eliot F. Baker,	Duxbury.
22	Francis Arthur Freeman,*	Francis Arthur Buckley,	Brockton.
May 13	Robert Blake,*	Robert Davis,	Rockland.
13	Isak Zurabowitz,	Isadore Jauress,	Brockton.
24	Stavros Panajotis Diamantopulos,	Steven P. Damon,	Brockton.
27	Madeline Flora Packard,*	Madeline Louise Tibbetts,	Brockton.
27	Ruth Hazel Hero,*	Ruth Hazel Thomas,	Abington.
27	Hattie Brown, alias Agnes Moody,*	Alice Gertrude Cudmore,	Brockton.
June 10	Louis E. Howe,*	Louis E. Downs,	Brockton.
24	Emma Frances Gay,*	Hazel Frances Barnes,	Pembroke.
24	Isaac E. Caswell,	Harry Ellsworth Allen,	Middleborough.
Aug. 26	Frederick N. Campbell,*	Frederick N. Hancock,	Brockton.
Sept. 9	Helen Appelin,*	Helen Edith Strom,	Abington.
Oct. 14	Peter George,	Peter George Asack,	Brockton.
28	Marjorie Baird,*	Marjorie B. Edes,	Brockton.
28	Leslie Wilbur Cobb,*	Leslie Wilbur Edson,	Whitman.
Nov. 25	Arthur Francis Cummings,*	Arthur Francis Rolf,	Hanson.
25	John Twohey,*	Alton Francis Lyon,	North Abington.
25	Frances McNulty,*	Frances Peloquin,	Brockton.
Dec. 9	Herbert Reeves,*	Herbert Reeves Raymond,	Plymouth.
23	Lillian O. Sundell,*	Lillian Adelaide Eldridge,	Mattapoisett.

SUFFOLK COUNTY.

1911.			
Nov. 29	Marie J. Dacey,*	Marie J. Krantz,	Boston.
1912.			
Jan. 9	Clifton Chapman,*	Clifford Joseph Gahm,	Newton.
9	—— (Infant),*	Constance Gahm,	Fitchburg.
11	Henry Krack,	Henry Krack Gordon,	Boston.
18	Joseph Grew,*	Joseph S. Hatch,	Boston.
18	Anna Sophia Dick,*	Anna S. D. Bixby,	Boston.
18	Alice L. Quiry,	Alice L. Pond,	Boston.
18	Gus B. Abraham,	Gus B. Abrams,	Boston.

* Changed by reason of adoption.

SUFFOLK COUNTY — Continued.

Date of Decree.	Original Name.	Name Decreed.	Residence.
1912.			
Jan. 18	Julius H. Abraham,	Julius H. Abrams,	Boston.
18	Ernest A. Koumin,	Ernest A. Bush,	Boston.
19	Adaline Coney,	Barbara E. Reed,	Gloucester.
25	Harold E. L. Crozier,*	Harold E. L. Hutchinson,	Boston.
25	Rose O'Connor,*	Dorothy Hunter,	Boston.
25	Manuel Williams,	Harry Emanuel Williams,	Boston.
29	Veronica McLaren,*	Rosie Rogers,	Boston.
Feb. 1	Hyman L. Goldstein,	Hyman L. Golden,	Boston.
1	Harold William Watters,*	Harold William Grant,	Boston.
1	Harold E. Bartlett,*	Harold E. Devine,	Boston.
1	William Lewis Cameron,*	William Waltham Greethurst,	Boston.
1	Henry Nelson Cameron,*	Henry Allen Greethurst,	Boston.
8	Paul Percy McAuliffe,	Paul Thomas McAuliffe,	Boston.
8	Morris W. Berkowitz,	Morris W. Beck,	Boston.
8	Thyra Marie Juringius,*	Thyra Marie Friegang,	Boston.
10	Mildred Schmeler,*	Rebecca Jack,	New York.
15	Napoleon Ross,	Robert Stanley Ross,	Boston.
15	Wayne White,*	Wayne Lyons Potter,	Boston.
15	Charles P. Abdalah,	Charles P. Abbott,	Boston.
15	Jacob Meyer Mankovitz,	Jacob Meyer Mann,	Boston.
15	Gladys M. Egan,*	Gladys Madeline Poole,	Chelsea.
23	Samuel A. Aransky,	Arthur Samuel Lewis,	Boston.
23	Harold L. Andrews,*	Harold Leslie Melvin,	Boston.
23	Lillian O. Holmes,*	Lillian H. Underhill,	Boston.
29	Dorothy Cohen,	Dorothy Clarke,	Boston.
29	Edward Whitney Cobb,	Edward Whitney Sherman,	Boston.
29	Lillian May Moses,	Lillian May Adams,	Boston.
29	Gertrude Lorraine Jacobs,*	Gertrude Lorraine Vinal,	Boston.
29	Odell Tremblay,*	Ruth Hopkins,	Boston.
29	Henrietta Keating,*	Olive Henrietta Marks,	Boston.
29	Frederick McDuff,*	Frederick Randall,	Boston.
Mar. 7	Roseina A. Jackson,*	Roseina A. Briscoe,	Boston.
7	Sam Chmielnizki,	Samuel Davis,	Boston.
7	Erma Madeleine Jones,	Erma M. Sanborn,	Boston.
7	Mildred Elena Jones,	Mildred Elena Sanborn,	Boston.
12	Gioacchino Launi,	Gioacchino Lauro,	Boston.
14	Julius Rosenthal,	Julian Atlas,	Boston.
14	Ralph William Carph,*	Francesco Guidara,	Boston.
14	Max Rosenthal,	Max Atlas,	Boston.
14	William Sipperstein,	William Francis Stone,	Boston.
21	Joseph Ogust,	Joseph August,	Boston.
21	Joseph E. White,	George William Worster,	Boston.
28	Nathaniel Sosnosky,	Nathan Ross,	Boston.
Apr. 2	Quenana ——,*	Standley Connolly,	Boston.
2	John Alfred Rose,*	William Irwin White Laite,	Boston.
4	Philip L. Murphy,	Philip L. Corrigan,	Boston.
4	Leon Driscoll,*	Leon Guenther,	Boston.
4	Joseph Lewis,*	Victor Eugene Okman,	Boston.
4	Ralph Fay,*	Ralph John Ohrenberger,	Boston.
11	Mary Sullivan,*	Margaret M. Good,	Boston.
11	Philip J. Aaronofsky,	Philip J. Aronson,	Boston.
12	Marie Berry,*	Marie Berry Tasco,	Boston.
18	George H. Chappelle,*	George Julius Riddick,	Boston.
18	Katherine Marie Cronin,*	Josephine Nee,	Boston.
18	Samuel S. Arofsky,	Samuel S. Urrows,	Boston.
25	Christian C. N. Christensen,	Christian C. Nelson,	Boston.
25	Florence Sicius,*	Florence Pine,	Boston.
25	Edward S. Sicius,*	Edward S. Pine,	Boston.
25	Israel Shawchisky,	Israel Cooper,	Boston.
25	Reuben F. Svensson,	Reuben F. Lambert,	Boston.
25	David J. Svensson,	David J. Lambert,	Boston.
25	Louis Millionthaler,	Louis M. Thaler,	Boston.
May 2	Eleanor A. Gunnison,*	Eleanor L. Simpson,	Boston.
2	Hyman Danishevsky,	Hyman Dana,	Boston.
2	Joseph Sandovitch,	Joseph Saunders,	Boston.
2	Clara I. Morrison,*	Clara I. Smith,	Revere
9	Moses Goldstein,	John Burns,	Boston.
9	Louis Galitsky,	Louis Gale,	Boston.

* Changed by reason of adoption.

SUFFOLK COUNTY — Continued.

Date of Decree.	Original Name.	Name Decreed.	Residence.
1912.			
May 9	Isador Sisonsky,	Edward Sison,	Boston.
9	Carl Birger Anderson,	Charles B. Greyer,	Boston.
9	Herman N. Galitsky,	Herman N. Gale,	Boston.
9	Simon Galitsky,	Simon Gale,	Boston.
9	Winiford C. Sanford,*	Winiford K. Byford,	Boston.
9	Heinrich Kegler,*	Charles H. Koechling,	Boston.
13	Annie M. Marshall,*	Caroline H. Kinzel,	Boston.
16	Lillian Murphy,*	Lillian McCarthy,	Boston.
16	Eva Germain,*	Eva M. Gordon,	Boston.
16	Joseph Crotty,*	Joseph Grew,	Boston.
16	Evelyn P. Allen,	Evelyn Allen Price,	Boston.
21	Susie Stavropoulos,	Edna Susie Young,	Boston.
23	Joseph A. Gricewich,	Joseph A. Roach,	Boston.
23	Clarence Cawthray,*	Clarence A. Lowery,	Boston.
23	Joseph M. Jacquard,*	James D. Winstanley,	Boston.
24	Mary Love,*	Mary Love Kelly,	Boston.
31	Kenneth Thyng,*	Asbury Waterhouse Schley,	Boston.
June 6	Edward Sak,*	Edward Sullivan,	Boston.
6	Gertrude Mansfield,*	Gertrude O'Leary,	Boston.
6	Maurice Rubens,	Maurice Ruby,	Boston.
7	Marie Collins, alias Marie Lazelle,	Velma M. Hunter,	Boston.
13	Leon T. MacDonald,*	Leon T. Peters,	Boston.
13	Florence Clark,*	Florence R. Nichols,	Boston.
20	Margaret Spellman,*	Margaret McKenna,	Boston.
20	Helen E. Straight,*	Helen E. Grebenstein,	Boston.
24	Grace M. Heath,*	Grace M. Edds,	Chelsea.
25	Anna O'Brien,*	Anna Coiro,	Boston.
27	Philip K. Villepigne,	Philip V. Benson,	Boston.
27	Henry S. Feinberg,	Henry S. Fenmore,	Boston.
July 1	Myer Butensky,	Meyer Beautense,	Boston.
2	Hazel M. Reas,	Hazel M. Denton,	Boston.
5	Ewing A. Flu,*	Alexander Flu Ewing,	Boston.
8	Arthur P. Bennett,*	Saul Herman,	Boston.
8	Samuel Finkelstein,	Samuel Finkel,	Boston.
10	George Harrington,*	George Harold Cummings,	Boston.
11	Ralph Barnes,	Samuel Edward Usher,	Boston.
11	Louise M. Murphy,*	Louise M. Platt,	Chelsea.
12	Generosa Giuggio,*	Josephine Cutugno,	Revere.
15	Addie C. O'Neil Penney,*	Adeline McGinley,	Boston.
16	Anna Mildred Menton,*	Mildred M. Sears,	Boston.
19	Julius Rosenthal,	Julius Rose,	Boston.
25	Nellie P. Logan,	Elinor Palfrey Logan,	Boston.
25	Samuel Hartstein,	Robert Samuel Hartstone,	Boston.
25	Rose Balkin,*	Rose Goldstein,	New York, N. Y.
Aug. 2	Florence E. Donovan,*	Helene Antoinette Lewis,	Boston.
15	Helen Lawton,*	Helen Bartlett,	Boston.
15	Harold French,*	George Harold Brewer,	Boston.
15	Russell H. Graham,*	Russell H. Lovett,	Boston.
15	Michael Sisonsky,	Mitchell Sison,	Boston.
15	Abraham Sisonsky,	Abraham Sison,	Boston.
15	Alice Burnham,	Helen A. Abbott,	Boston.
15	Harris Goldstein,	Harris Gertlin,	Boston.
15	Jacob Massell,	James Hirsh Massell,	Boston.
15	John F. Woodhouse,	John F. Russell,	Boston.
23	Joseph Cuddihy,*	Joseph Chamberlain,	Boston.
Sept. 3	Anna Studzienska,*	Anna Pilarczyk,	Chelsea.
5	Hazel Emma Howe,	Hazel Howe Whittemore,	Boston.
5	Lotta Frances Simpson,	Lotta Frances Eldredge,	Boston.
5	Mark A. Slutsky,	Mark S. Slater,	Boston.
5	Joseph Foley,	Joseph Westmont Fowler,	Boston.
5	Napoleon Perkins,	Nathaniel N. Perkins,	Boston.
5	Jacob M. Cohen,	Jacob M. Cowan,	Boston.
5	Samuel Shenker,	William S. Smith,	Boston.
9	Peter F. O'Connor,	Francis P. O'Connor,	Boston.
12	Jane Louise Dennis,	Jane Louise Seagrave,	Boston.
12	Rebecca Carey,*	Olive K. Knowlton,	Boston.
12	Walter Wellington,*	Walter Wellington Cowhig,	Boston.
12	Marion Elizabeth Griffin,*	Marion Beatrice Neylon,	Leominster.

* Changed by reason of adoption.

SUFFOLK COUNTY — Concluded.

Date of Decree.	Original Name.	Name Decreed.	Residence.
1912.			
Sept. 12	Frank Karamanjanis,*	Frank Furino Praino,	Boston.
12	Marie E. Erickson, alias Marie E. Daun,*	Evelyn Christine Hakanson,	Boston.
19	Bernard Slutske,	Bernard Slater,	Boston.
19	Ruby Slotapolsky,	Robert Slater,	Boston.
19	Florence Gibson,*	Florence E. Wyatt,	Boston.
19	Mona Loosemore,*	Mona Malloy,	Boston.
23	Florence M. E. Kennedy,*	Florence M. E. Sheehan,	Boston.
26	Harry E. McLane,	Harry Elorette Linden,	Boston.
26	Gennaro Dovidio,	John Dewey,	Boston.
26	Charles Ratkowski,	Charles Roberts,	Boston.
26	Henry Siff,	Henry Shiff,	Boston.
26	Lillian Francis McColgan,*	Hortense McKay,	Boston.
30	Leo Concetta,*	Leo Bruno,	Boston.
Oct. 3	Phoebe alias Mary Parent,*	Phoebe W. Lyons,	Boston.
3	Annie T. Kirby,*	Annie T. Quigley,	Boston.
3	Sarah E. Grace,*	Elizabeth J. Quigley,	Boston.
8	Antonio Paulla,*	Michele Gruschi,	Boston.
9	Elizabeth E. O'Brien,*	Elizabeth E. Sullivan,	Boston.
10	Agnes Reilly,*	Evelyn Murphy,	Boston.
10	Helen Lyons,*	Helen Hart,	Boston.
10	Samuel W. Sharmatz,	Samuel W. Sharmat,	Boston.
10	Jacob Kolchinsky,	Jacob Coles,	Boston.
10	Charles Kovensky,	Charles Koven,	Boston.
10	John D. McGavin McGlashen,	John Drummond Monteith,	Boston.
17	Bertha Arthur,*	Bertha Snowden,	Boston.
17	Genowefa Pocus,*	Genowefa Barbarowicz,	Cambridge.
17	Marjorie Evelina Morrison,*	Marjorie Morrison Kendall,	Boston.
17	Howard L. Jones,	Howard L. Gile,	Boston.
17	Joseph Kahan,	Joseph Kagan,	Boston.
17	Eugene Henry McCormick,	Eugene Henry Lorden,	Boston.
24	Margaret M. Breen,*	Margaret M. Murray,	Boston.
29	David Langlois,*	Charles Boleman,	Boston.
29	Bernard White,*	Vincent P. Musto,	Boston.
31	Emma E. Rothenburg,	Emma E. Kendle,	Boston.
31	Jacob Nisinovitch,	Jacob Novitch,	Boston.
31	Herbert Rafuse,*	Herbert M. Given,	Boston.
31	Louis Cohen,	Leo R. Levine,	Boston.
31	Edgar Le Blank,*	George Bradshaw,	Boston.
Nov. 7	Isaac Golsdtein,	Isaac Golden,	Boston.
14	Isidor Weinberger,	Frederic Isidor Weene,	Boston.
14	Samuel Goldberg,	Samuel Carl Gould,	Boston.
14	Beatrice Stapleton,	Beatrice Lovejoy,	Boston.
14	Elinore Stapleton,	Elinore Lovejoy,	Boston.
14	Daniel Fulton,*	Daniel Doherty,	Boston.
14	Katherine L. Bond,*	Katherine Louise Stackpole,	Boston.
21	Paul Clucas,	Paul Loring,	Boston.
21	John C. G. Wessling,	John Wessling Hovestadt,	Boston.
21	Giovanni Piombino,	John Spear,	Boston.
21	Edgar Daisey,*	Edgar Moses,	Boston.
21	Vivian Roussel,*	Vivian Fieldhouse,	Boston.
21	Alice L. Burnham,*	Alice L. Nelson,	Boston.
21	John Anthony Moore,*	John Anthony Robbins,	Boston.
21	Kathleen Angelique Moore,*	Kathleen Angelique Robbins,	Boston.
21	Irene Lillian Davis,*	Irene Lillian Cummins,	Boston.
21	Morris Kremenezky,	Morris Kream,	Boston.
21	Susan Marguerite Moore,*	Susan Marguerite Robbins,	Boston.
30	Mary A. Curtin,*	Mary A. Moriarty,	Boston.
Dec. 5	Donald Lindgren,*	Ralph Donald Meyers,	Boston.
5	Julius Kadsaiwitz,	Julius Kadis,	Boston.
5	David Lindgren,*	Rodney K. Meyers,	Boston.
5	Carl A. Lundquist,	Carl A. Dahlen,	Boston.
5	Arthur Sundalevitch,	Arthur Sundlun,	Boston.
5	Noah G. Amdursky,	Noah W. Amdur,	Boston.
9	Evald Emmanuel Carlson,*	Leroy N. Adams,	Boston.
12	Herman Goldsmith,	Harry J. Goldsmith,	Boston.
19	Louis Goodman,	Louis Sandberg,	Boston.
26	Nath. Orlovsky,	Nath. Orlov,	Boston.

* Changed by reason of adoption.

WORCESTER COUNTY.

Date of Decree.	Original Name.	Name Decreed.	Residence.
1912.			
Jan. 1	George Palmer,*	George Hanelius,	Gardner.
2	Benjamin Maurice Kulvinsky,	Benjamin Maurice Kulvin,	Worcester.
2	Samuel William Kulvinsky,	Samuel William Kulvin,	Worcester.
9	Witold Peter Chmelewski,	Witold Peter Meleski,	Worcester.
17	Wieno Heisson Ojampera,*	Wieno Heisson Jokela,	Fitchburg.
24	Annie Paige,*	Annie Paige Cregan,	West Brookfield.
30	Herman George Ezrochovitz,	Herman George Kaplan,	Worcester.
Feb. 14	Manuel Baptista,	Alfred Baptiste,	Lunenburg.
20	Dorothy Spencer Austin,*	Dorothy Spencer Doane,	Worcester.
27	Ralph White,*	Frederick Chase Howard,	Webster.
Mar. 7	Maude E. Holland,*	Maude Ethel Fiske,	Worcester.
25	Ruth Lundsted,*	Ruth May Charamella,	Worcester.
26	Florence Capela,*	Norma May Johnson,	Worcester.
26	Lottie MacFarland,	Charlotte Hawes MacFarland,	Worcester.
27	Gladys Mitchell,*	Agnes Ward,	Lunenburg.
Apr. 3	Ralph Porter Le Fave,*	Ralph Porter Friend,	Worcester.
12	Ira Bertram Smith,*	Ira Herbert Smith,	Fitchburg.
22	Lillian Rawstorne,*	Lillian Rawstorne Tatman,	Worcester.
24	Clifford Reginald Brooks,*	William Clifford Faubert,	Worcester.
30	Frederick Waldo Oehme,	Frederick Waldo Ames,	Worcester.
30	Paul Alexander Oehme,	Paul Alexander Ames,	Worcester.
30	Richard Herman Oehme,	Richard Herman Ames,	Worcester.
May 3	Ivney Hochidur,*	Grace Gardner,	Clinton.
7	Frances Taylor,*	Frances Elizabeth Ashby,	Gardner.
7	Marion Elizabeth Barker,	Marion Elizabeth Cone,	Worcester.
8	Arzalia Bourgeois,	Arzalia Leblanc,	Gardner.
9	Marie Elizabeth Freniere,*	Marie Elizabeth Kayer,	Worcester.
10	Greta Olson,*	Greta Viola Wendt,	Worcester.
13	Pearl Zara McClenethan,*	Lois Margaret Shoemaker,	Leominster.
14	Gust Jacobson,	John Gustaf Moisio,	Fitchburg.
22	Edward Doucette,*	Edward Fisher,	Leominster.
24	Royal Francis Jones, Jr.,	Royal Francis Jones Turner,	Leominster.
June 4	Earle Peacott,*	Francis Edward Fox,	Worcester.
6	Lizzie Anne Milne Lindsay,*	Elizabeth Milne Lindsay Paul,	Leominster.
6	William Lindsay,*	Lindsay William Paul,	Leominster.
7	Dorothy May Ethier,*	Dorothy May Whitney,	Templeton.
11	Ruth Rebecca Bullard,*	Ruth Rebecca Caldwell,	Oakham.
11	Mary Jennie Conley,	Mary Jennie Brown,	Bolton.
11	Madeline Marie Conley,	Madeline Marie Brown,	Bolton.
11	Edward Thomas Conley,	Edward Thomas Brown,	Bolton.
12	Bernice Maude Devereaux,	Bernice Maude Devereaux Hartley,	Fitchburg.
July 1	(Unnamed child),*	Arthur Cleveland Barnes,	Sutton.
2	Lowell Winslow Lowell,*	Lowell Winslow Keith Lowell,	Worcester.
3	Israel Block,	George James Brown,	Worcester.
12	Pearl Clifford,*	Pearl Holbrook Ainsley,	Leicester.
15	Frank Munsh,*	Charles Theodore Surprenant,	Worcester.
30	Dorothy Spencer Doane,*	Gladys Josephine Gilman,	Worcester.
30	Maria Antolini,*	Aliza Mancini,	Milford.
31	Almira Woodward,*	Almira Young,	Gardner.
31	Don E. Emerson,*	Donald E. Emerson,	Worcester.
31	Kenneth Malcolm Freeman,*	Kenneth Malcolm Gigger,	Gardner.
Aug. 14	Edith Thelma Bennett,*	Edith Thelma Rose,	Milford.
26	Frank Henry Mason,*	Harry David Mason,	Worcester.
26	Janet Lincoln,*	Dorothy May Nelson,	Worcester.
Sept. 3	Ruth McNulty,*	Ruth Miskell,	Upton.
3	Walter Nieminen Suwanto,*	Lowell Chapman Zilliacus,	Lunenburg.
3	Martha F. Knapp,	Martha Fidelia Archibald,	Petersham.
3	Harold A. Furlong, Jr.,*	Roland Earl Belden,	Lancaster.
9	Annie E. Ratigan,*	Mary Anna Ross,	Milford.
11	Bernice Brooks Chapman,*	Dorothy Chapman Parkhurst,	Leominster.
17	Phyllis Rodwell,*	Phyllis Amsden,	Worcester.
19	Huropsoma Dermardiarosian,*	Huropsoma Manoogian,	Worcester.
19	Victor Cheney Shaw,*	Victor Cheney Guy,	Providence, R. I.
20	Margaret McGarry,*	Mary Isabella Josephine Barker,	Worcester.
24	Anthony Joseph Tumosa,	Anthony Joseph Thomas,	Worcester.

* Changed by reason of adoption.

WORCESTER COUNTY — Concluded.

Date of Decree.	Original Name.	Name Decreed.	Residence.
1912.			
Sept. 24	Fred E. Lyon,	Fred E. Prouty,	Spencer.
24	May E. Willard,*	May Elizabeth Frink,	Athol.
24	Gladis Alin,*	Gladys Evelyn Becklund,	Worcester.
Oct. 1	Ethel Porter,*	Ethel Harman,	Southbridge.
2	Virginia Goldenberg,*	Virginia Kennan,	Worcester.
7	Mary Helen Wright,*	Mary Wright Hinds,	Gardner.
9	Aaron Rodinsky,	Aaron Reed,	Worcester.
15	Mary Sargent,*	Alma Schiro,	Worcester.
15	Richard Hazelhurst,*	Richard Edward Sheldon,	Sturbridge.
19	——— Alger,*	Dorothy Irene Walker,	Southbridge.
22	William Hancock Kelley,	William Courtenay,	Athol.
22	Jacob Desutnick,	Jacob Fine,	Worcester.
28	Edward Joseph Walsh,*	Edward Joseph Potts,	Spencer.
29	Florence Ellen Fitzgerald,*	Florence Ellen Hatch,	Northborough.
Nov. 12	Walter Gleason,*	Walter Brinley Green,	Oakham.
12	Robert Kent,*	Lawrence Stuart Kenyon,	Fitchburg.
12	Frances Anna Bell,*	Anna Bell Marble,	Worcester.
26	John Baptist Surprenant,	John Belmont Sumner,	Worcester.
Nov. 29	———,*	Robert Shirley Doane,	Worcester.
Dec. 6	Rose May Stone,*	Rose May Samson,	Leicester.
6	Lete William Burroughs,*	Lete William Weatherbee,	Worcester.
10	Ernest A. Letourneau,	Ernest Andrew Moore,	Worcester.
17	Edward Dana Osgood,	Dana Osgood,	Hopedale.
19	Mary Miller,*	Marion Ferguson,	Worcester.

* Changed by reason of adoption.

THE

CIVIL GOVERNMENT

OF

The Commonwealth of Massachusetts,

AND OFFICERS IMMEDIATELY CONNECTED THEREWITH
FOR THE POLITICAL YEAR

1913.

EXECUTIVE DEPARTMENT.

HIS EXCELLENCY

EUGENE N. FOSS,

GOVERNOR.

JOHN C. SHERMAN . . . . . *Private Secretary.*
EDWARD F. HAMLIN . . . . . *Executive Secretary.*

HIS HONOR

DAVID I. WALSH,

LIEUTENANT GOVERNOR.

COUNCIL — (BY DISTRICTS).

I. — EBEN S. S. KEITH . . . . . Bourne.
II. — GUY ANDREWS HAM . . . . . Boston.
III. — EDWARD D. COLLINS . . . . . Boston.
IV. — ALEXANDER McGREGOR . . . . . Malden.
V. — EDWARD G. FROTHINGHAM . . . . Haverhill.
VI. — G. FREDERICK SIMPSON . . . . . Newton.
VII. — DANIEL E. DENNY . . . . . Worcester.
VIII. — AUGUST H. GOETTING . . . . . Springfield.

FRANK J. DONAHUE,

SECRETARY OF THE COMMONWEALTH.

HERBERT H. BOYNTON, *1st Deputy.* PETER F. J. CARNEY, *2d Deputy.*

ELMER A. STEVENS,

TREASURER AND RECEIVER GENERAL.

HENRY S. BRIDGE, *Deputy.* GEORGE R. WILLARD, *Accountant.*
WENDELL P. MARDEN, *Cashier.*

JOHN E. WHITE,

AUDITOR OF THE COMMONWEALTH.

WILLIAM D. HAWLEY, *Deputy Auditor.* CARL A. RAYMOND, *2d Deputy.*
JAMES POPE, *1st Clerk.* ARTHUR E. HOYT, *2d Clerk.*

JAMES M. SWIFT,

ATTORNEY-GENERAL.

FREDERIC B. GREENHALGE, ANDREW MARSHALL,
HENRY M. HUTCHINGS, WALTER A. POWERS,

ASSISTANT ATTORNEYS-GENERAL.

LOUIS H. FREESE, *Chief Clerk.*

LEGISLATIVE DEPARTMENT.

GENERAL COURT.

ARRANGED IN ACCORDANCE WITH THE DISTRICT REVISION OF 1906.

SENATE.

President—LEVI H. GREENWOOD.

District.	Name of Senator.	Residence.
First Suffolk, . . .	Edward C. R. Bagley, .	Boston.
Second " . . .	James H. Brennan, . .	Boston.
Third " . . .	Philip J. McGonagle, . .	Boston.
Fourth " . . .	Thomas M. Joyce, . .	Boston.
Fifth " . . .	David T. Montague, . .	Boston.
Sixth " . . .	William P. Hickey, . .	Boston.
Seventh " . . .	James P. Timilty, . .	Boston.
Eighth " . . .	Redmond S. Fitzgerald, .	Boston.
Ninth " . . .	Francis J. Horgan, . .	Boston.
First Essex, . . .	Charles Cabot Johnson, .	Nahant.
Second " . . .	A. Preston Chase, . .	Danvers.
Third " . . .	C. Augustus Norwood, .	Hamilton.
Fourth " . . .	Henry G. Wells, . . .	Haverhill.
Fifth " . . .	Dennis E. Halley, . .	Lawrence.
First Middlesex, . . .	Frederic H. Hilton, . .	Framingham.
Second " . . .	Harry N. Stearns, . .	Cambridge.
Third " . . .	Charles V. Blanchard, .	Somerville.
Fourth " . . .	Claude L. Allen, . . .	Melrose.

District.	Name of Senator.	Residence.
Fifth Middlesex,	Charles F. McCarthy,	Marlborough.
Sixth "	Wilton B. Fay,	Medford.
Seventh "	Edward Fisher,	Westford.
Eighth "	Henry J. Draper,	Lowell.
First Worcester,	Julius Garst,	Worcester.
Second "	Clarence W. Hobbs, Jr.,	Worcester.
Third "	Levi H. Greenwood,	Gardner.
Fourth "	William A. L. Bazeley,	Uxbridge.
Worcester and Hampden,	William H. Wheeler,	Hubbardston.
First Hampden,	Gurdon W. Gordon,	Springfield.
Second "	Francis X. Quigley,	Holyoke.
Franklin and Hampshire,	Charles E. Ward,	Buckland.
Berkshire,	John H. Mack,	North Adams.
Berkshire, Hampshire and Hampden.	Calvin Coolidge,	Northampton.
First Norfolk,	John J. McDevitt,	Quincy.
Second "	Lombard Williams,	Dedham.
First Plymouth,	Frederic M. Hersey,	Hingham.
Second "	Ezra W. Clark,	Brockton.
First Bristol,	William A. Bellamy,	Taunton.
Second "	Walter E. McLane,	Fall River.
Third "	Samuel Ross,	New Bedford.
Cape,	Edric Eldridge,	Yarmouth.

HENRY D. COOLIDGE, ... *Clerk.*
EDWARD A. HORTON, ... *Chaplain.*
THOMAS F. PEDRICK, ... *Sergeant-at-Arms.*

HOUSE OF REPRESENTATIVES.

Speaker—GRAFTON D. CUSHING.

COUNTY OF SUFFOLK.

District.	Town or Ward.	Name of Representative.	Residence.
1st,	Boston, Ward 1,	Thomas J. Giblin,	Boston.
		Benjamin F. Sullivan,	Boston.
2d,	Boston, Ward 2,	Michael J. Brophy,	Boston.
		John J. Douglass,	Boston.
3d,	Boston, Ward 3,	James J. Brennan,	Boston.
		Peter F. Tague,*	Boston.
4th,	Boston, Wards 4 and 5,	William E. Carney,	Boston.
		Patrick B. Carr,	Boston.
		Michael Francis McGrath,	Boston.
5th,	Chelsea, Wards 1 and 2,	Maurice Caro,	Chelsea.
6th,	Boston, Ward 6,	James Bacigalupo,	Boston.
		Vincent Brogna,	Boston.
7th,	Boston, Ward 7,	John L. Donovan,	Boston.
8th,	Boston, Ward 8,	Martin M. Lomasney,	Boston.
		Robert Robinson,	Boston.
9th,	Boston, Ward 9,	Isaac Gordon,	Boston.
		Joseph Leonard,	Boston.
10th,	Boston, Ward 10,	Channing H. Cox,	Boston.
		William S. Kinney,	Boston.

* Elected February 11, 1913, in the place of William J. Murray, who died November 16, 1912; qualified February 19, 1913.

COUNTY OF SUFFOLK — CONTINUED.

District.	Town or Ward.	Name of Representative.	Residence.
11th,	Boston, Ward 11,	Courtenay Crocker,	Boston.
		Grafton D. Cushing,	Boston.
12th,	Boston, Ward 12,	George T. Daly,	Boston.
		Edward F. McLaughlin,	Boston.
13th,	Boston, Ward 13,	Leo F. McCullough,	Boston.
		William J. Sullivan,	Boston.
14th,	Boston, Ward 14,	Thomas J. Casey,	Boston.
		John J. Murphy,	Boston.
15th,	Boston, Ward 15,	John J. Creed,	Boston.
		John J. Lydon,	Boston.
16th,	Boston, Ward 16,	Daniel J. Chapman,	Boston.
		John F. McCarthy,	Boston.
17th,	Boston, Ward 17,	Michael J. McEttrick,	Boston.
		William P. O'Brien,	Boston.
18th,	Boston, Ward 18,	Edward Emmet McGrath,	Boston.
		Patrick Edward Murray,	Boston.
19th,	Boston, Ward 19,	Timothy J. Ahern,	Boston.
		P. Joseph McManus,	Boston.
20th,	Boston, Ward 20,	John A. Anderson,	Boston.
		Peter A. Donaghue,	Boston.
		Lewis R. Sullivan,	Boston.
21st,	Boston, Ward 21,	John Ballantine,	Boston.
		William N. Hackett,	Boston.
22d,	Boston, Ward 22,	James F. Griffin,	Boston.
		James P. Maguire,	Boston.
23d,	Boston, Ward 23,	George W. P. Babb,	Boston.
		John J. Conway,	Boston.
24th,	Boston, Ward 24,	Joseph J. Benson,	Boston.
		John H. Buckley,	Boston.
		Charles S. Lawler,	Boston.
25th,	Boston, Ward 25,	Martin Hays,	Boston.
		Herbert A. Wilson,	Boston.

COUNTY OF SUFFOLK — CONCLUDED.

District.	Town or Ward.	Name of Representative.	Residence.
26th,	Chelsea, Wards 3, 4, .	William M. Robinson, .	Chelsea.
27th,	Chelsea, Ward 5, .	John E. Beck, . .	Chelsea.
	Revere, . . .	Andrew A. Casassa, .	Revere.
	Winthrop, . . .		

COUNTY OF ESSEX.

1st,	Amesbury, . . .	Samuel I. Collins, . .	Amesbury.
	Merrimac, . . .		
2d,	Haverhill, W'ds 1, 2, 3,	A. Franklin Priest, . .	Haverhill.
3d,	Haverhill, Wards 4, 6,	Essex H. Abbott, . .	Haverhill.
4th,	Haverhill, Ward 5, .	Charles H. Morrill, .	Haverhill.
5th,	Lawrence, Wards 1, 2,	John C. Sanborn, . .	Lawrence.
	Methuen, . . .	Frederick W. Schlapp, .	Lawrence.
6th,	Lawrence, Wards 3, 4,	Daniel Fitzpatrick, . .	Lawrence.
7th,	Lawrence, Ward 5, .	Charles H. Morgan, .	Lawrence.
8th,	Lawrence, Ward 6, .	William J. Graham, .	Lawrence.
9th,	Andover, . . .	Harry Millett Eames, .	Andover.
10th,	Boxford, . . .	George P. Webster, .	Boxford.
	Groveland, . . .		
	Haverhill, Ward 7, .		
	North Andover, . .		
11th,	Peabody, . . .	Daniel C. Manning, .	Peabody.
12th,	Lynn, Ward 3, . .	Charles H. Annis, . .	Lynn.
	Swampscott, . .	Thomas E. P. Wilson, .	Lynn.
13th,	Lynn, Wards 1, 5, 7, .	Francis M. Hill, . .	Lynn.
	Lynnfield, . . .	Michael S. Keenan, .	Lynn.
14th,	Lynn, Wards 2, 4, .	Joseph L. Barry, . .	Lynn.
	Nahant, . . .	William A. Fisher, . .	Lynn.
15th,	Lynn, Ward 6, . .	Michael H. Cotter, . .	Lynn.
	Saugus, . . .	John R. Wallace, . .	Lynn.

COUNTY OF ESSEX — CONCLUDED.

District.	Town or Ward.	Name of Representative.	Residence.
16th,	Marblehead,	John G. Stevens,	Marblehead.
17th,	Salem, Wards 1, 2,	James D. Burns,	Salem.
18th,	Salem, Wards 3, 5,	Chauncey Pepin,	Salem.
19th,	Salem, Wards 4, 6,	Michael Kelly,	Salem.
20th,	Beverly, Danvers,	Alvah J. Bradstreet, Allison J. Catheron,	Danvers. Beverly.
21st,	Gloucester, Wards 4, 5, 8, Manchester,	Patrick H. Boyle,	Manchester.
22d,	Gloucester, Wards 3, 6, 7,	Charles D. Smith,	Gloucester.
23d,	Gloucester, Wards 1, 2, Rockport,	Henry H. Parsons,	Gloucester.
24th,	Essex, Hamilton, Ipswich, Middleton, Rowley, Topsfield, Wenham,	George H. W. Hayes,	Ipswich.
25th,	Newburyport, Wards 1, 2, 3, 4,	James E. Fowle,	Newburyport.
26th,	Georgetown, Newbury, Newburyport, Wards 5, 6, Salisbury, West Newbury,	Parker H. Nason,	West Newbury.

COUNTY OF MIDDLESEX.

1st,	Cambridge, Wards 1, 2, 3,	Frederick H. Burke, John E. Quinn,	Cambridge. Cambridge.
2d,	Cambridge, Wards 4, 5, 6, 7,	James H. Donovan, Stephen H. Harrington, Henry J. Mahoney,	Cambridge. Cambridge. Cambridge.

COUNTY OF MIDDLESEX — CONTINUED.

District.	Town or Ward.	Name of Representative.	Residence.
3d,	Cambridge, Wards 8, 9, 10, 11,	John P. Brennan, Patrick J. Curley, Timothy J. Horan,	Cambridge. Cambridge. Cambridge.
4th,	Newton,	Henry E. Bothfeld, George H. Ellis, Thomas W. White,	Newton. Newton. Newton.
5th,	Waltham,	George P. Drury, Nathan A. Tufts,	Waltham. Waltham.
6th,	Natick,	William J. Naphen,	Natick.
7th,	Framingham,	Enos H. Bigelow,	Framingham.
8th,	Ashland, Holliston, Hopkinton, Sherborn,	Horace H. Piper,	Ashland.
9th,	Marlborough,	James M. Hurley,	Marlborough.
10th,	Boxborough, Hudson, Maynard, Stow,	Andrew J. Coughlan,	Maynard.
11th,	Acton, Ayer, Carlisle, Chelmsford, Littleton, Westford,	Samuel L. Taylor,	Westford.
12th,	Ashby, Dunstable, Groton, Pepperell, Shirley, Townsend, Tyngsborough,	Alfred Newton Fessenden,	Townsend.
13th,	Bedford, Concord, Lincoln, Sudbury, Wayland, Weston,	Frederick W. Eaton,	Concord.

COUNTY OF MIDDLESEX — CONTINUED.

District.	Town or Ward.	Name of Representative.	Residence.
14th,	Dracut, Lowell, Ward 1,	Otis W. Butler,	Lowell.
15th,	Lowell, Ward 2,	Dennis A. Murphy,	Lowell.
16th,	Lowell, Wards 4, 5,	Eugene F. Toomey,	Lowell.
17th,	Lowell, Wards 3, 6, 7,	Henry Achin, Jr., Victor Francis Jewett,	Lowell. Lowell.
18th,	Lowell, Ward 8,	Joseph Craig,	Lowell.
19th,	Billerica, Lowell, Ward 9, Tewksbury,	Charles H. Williams,	Billerica.
20th,	Burlington, North Reading, Reading, Wilmington, Woburn,	Henry L. Andrews, Joseph Henry Parker, Jr.,	Woburn. Woburn.
21st,	Wakefield,	Charles A. Dean,	Wakefield.
22d,	Melrose,	George W. Libbey,	Melrose.
23d,	Malden,	Alvin E. Bliss, Charles M. Blodgett, M. Sumner Coggan,	Malden. Malden. Malden.
24th,	Everett,	Fred P. Greenwood, John H. Stone,	Everett. Everett.
25th,	Somerville, Wards 1, 3, 4, 5,	William M. Armstrong, William W. Kennard, Charles L. Underhill,	Somerville. Somerville. Somerville.
26th,	Somerville, Wards 2, 6, 7,	William H. Dolben, Charles W. Eldridge, Ralph M. Smith,	Somerville. Somerville. Somerville.
27th,	Medford, Wards 3, 6, Winchester,	Winfield F. Prime,	Winchester.
28th,	Medford, Wards 1, 2, 4, 5, 7,	Benjamin F. Haines,	Medford.

COUNTY OF MIDDLESEX — CONCLUDED.

District.	Town or Ward.	Name of Representative.	Residence.
29th,	Arlington, Lexington,	Frank D. Peirce,	Lexington.
30th,	Belmont, Watertown,	William H. Poole,	Belmont.
31st,	Stoneham,	Arthur N. Newhall,	Stoneham.

COUNTY OF WORCESTER.

1st,	Athol, Dana, Petersham, Phillipston, Royalston,	Ernest Warren Tyler,	Athol.
2d,	Ashburnham, Gardner, Templeton, Winchendon,	Elmer G. Fosgate, Judson I. Wood,	Ashburnham. Gardner.
3d,	Barre, Holden, Hubbardston, Oakham, Princeton, Rutland, Sterling, Westminster,	J. Warren Moulton,	Rutland.
4th,	Brookfield, Hardwick, New Braintree, North Brookfield, Warren, West Brookfield,	Herbert N. Shepard,	Warren.
5th,	Charlton, Southbridge, Sturbridge,	Louis O. Rieutord,	Southbridge.

COUNTY OF WORCESTER — CONTINUED.

District.	Town or Ward.	Name of Representative.	Residence.
6th,	Auburn, Leicester, Paxton, Spencer,	Edward J. McDermott,	Leicester.
7th,	Dudley, Oxford, Webster,	George Fred Hart,	Webster.
8th,	Blackstone, Douglas, Grafton, Millbury, Shrewsbury, Sutton, Uxbridge,	James H. Ferguson, John F. Meaney,	Millbury. Blackstone.
9th,	Hopedale, Mendon, Milford, Northbridge, Upton,	Matthew J. Carbary, James R. Ferry,	Milford. Northbridge.
10th,	Berlin, Bolton, Boylston, Clinton, Northborough, Southborough, West Boylston, Westborough,	William S. Duncan, George L. Wright,	Clinton. Boylston.
11th,	Fitchburg, Ward 6, Harvard, Lancaster, Leominster, Lunenberg,	Frank S. Farnsworth, Edward H. Nutting,	Leominster. Leominster.
12th,	Fitchburg, Wards 1, 2, 3, 4, 5,	John G. Faxon, John B. Fellows,	Fitchburg. Fitchburg.
13th,	Worcester, Ward 1,	Frederick H. Lucke,	Worcester.
14th,	Worcester, Ward 2,	Frederick W. Hurlburt,	Worcester.

COUNTY OF WORCESTER — CONCLUDED.

District.	Town or Ward.	Name of Representative.	Residence.
15th,	Worcester, Ward 3, .	John C. Mahoney, . .	Worcester.
16th,	Worcester, Ward 4, .	John T. Flanagan, . .	Worcester.
17th,	Worcester, Ward 5, .	Michael A. Henebery, .	Worcester.
18th,	Worcester, Ward 6, .	Charles A. Orstrom, .	Worcester.
19th,	Worcester, Ward 7, .	James L. Harrop, . .	Worcester.
20th,	Worcester, Ward 8, .	Norman B. Parsons, .	Worcester.
21st,	Worcester, Ward 9, .	Oscar E. Arkwell, . .	Worcester.
22d,	Worcester, Ward 10, .	Robert M. Washburn, .	Worcester.

COUNTY OF HAMPSHIRE.

1st,	Northampton, . .	John L. Mather, . .	Northampton.
2d,	Chesterfield, . . Cummington, . . Easthampton, . . Goshen, . . . Huntington, . . Middlefield, . . Plainfield, . . . Southampton, . . Westhampton, . . Williamsburg, . . Worthington, . .	Leonard F. Hardy, . .	Huntington.
3d,	Amherst, . . . Hadley, . . . Hatfield, . . . South Hadley, . .	Walter D. Cowls, . .	Amherst.
4th,	Belchertown, . . Enfield, . . . Granby, . . . Greenwich, . . . Pelham, . . . Prescott, . . . Ware, . . .	Almon L. Pratt, . .	Belchertown.

COUNTY OF HAMPDEN.

District.	Town or Ward.	Name of Representative.	Residence.
1st,	Brimfield, Holland, Monson, Palmer, Wales,	Freelon Q. Ball,	Monson.
2d,	Agawam, Blandford, Chester, East Longmeadow, Granville, Hampden, Longmeadow, Ludlow, Montgomery, Russell, Southwick, Tolland, West Springfield, Wilbraham,	James F. Barry, William J. Sessions,	Agawam. Hampden.
3d,	Springfield, Ward 1,	John J. Courtney,	Springfield.
4th,	Springfield, Wards 2, 3,	John Mitchell,	Springfield.
5th,	Springfield, Wards 4, 5, 6,	Everett E. Belding, George D. Chamberlain,	Springfield. Springfield.
6th,	Springfield, Ward 7,	Julius F. Carman,	Springfield.
7th,	Springfield, Ward 8,	Merrill E. Streeter,	Springfield.
8th,	Chicopee,	Daniel J. Buckley,	Chicopee.
9th,	Holyoke, Wards 1, 2, 4,	Arthur G. Greaney,	Holyoke.
10th,	Holyoke, Wards 3, 6,	David F. Sullivan,	Holyoke.
11th,	Holyoke, Wards 5, 7,	Henry B. Spencer,	Holyoke.
12th,	Westfield,	Harry B. Putnam,	Westfield.

COUNTY OF FRANKLIN.

District.	Town or Ward.	Name of Representative.	Residence.
1st,	Ashfield, Buckland, Charlemont, Colrain, Conway, Hawley, Heath, Monroe, Rowe, Shelburne, Whately,	Henry D. Wright,	Rowe.
2d,	Greenfield,	Frederick B. Felton,	Greenfield.
3d,	Bernardston, Deerfield, Gill, Leverett, Leyden, Montague, Sunderland,	Albert M. Darling,	Sunderland.
4th,	Erving, New Salem, Northfield, Orange, Shutesbury, Warwick, Wendell,	Charles H. Webster,	Northfield.

COUNTY OF BERKSHIRE.

1st,	Clarksburg, Florida, North Adams, Wards 3, 4, 5, Savoy,	J. Bernard Boland,	North Adams.
2d,	North Adams, Wards 1, 2, 6, 7,	Edward Davies,	North Adams.

COUNTY OF BERKSHIRE — CONCLUDED.

District.	Town or Ward.	Name of Representative.	Residence.
3d,	Adams, Cheshire, Hinsdale, New Ashford, Peru, Windsor,	Morton Henry Burdick,	Adams.
4th,	Dalton, Hancock, Lanesborough, Pittsfield, Ward 1, Williamstown,	John Ennis,*	Williamstown.
5th,	Pittsfield, Wards 2, 6, 7,	Edward M. Hall,	Pittsfield.
6th,	Pittsfield, Wards 3, 4, 5,	George W. Faulkner,	Pittsfield.
7th,	Becket, Lee, Lenox, Monterey, New Marlborough, Otis, Richmond, Sandisfield, Tyringham, Washington,	Albert B. Clark,	Lee.
8th,	Alford, Egremont, Great Barrington, Mount Washington, Sheffield, Stockbridge, West Stockbridge,	John B. Hull, Jr.,	Gt. Barrington.

COUNTY OF NORFOLK.

1st,	Dedham, Needham,	Frederic J. Grady,	Dedham.
2d,	Brookline,	John A. Curtin, John H. Sherburne,	Brookline. Brookline.

* Elected February 11, 1913, in the place of Arthur H. Bicknell, who died December 30, 1912; qualified February 19, 1913.

COUNTY OF NORFOLK — CONCLUDED.

District.	Town or Ward.	Name of Representative.	Residence.
3d,	Boston, Ward 26,	Clarence J. Wing,	Boston.
4th,	Canton, Milton,	John J. Gallagher,	Milton.
5th,	Quincy, Wards 1, 2, 3,	Michael T. Sullivan,	Quincy.
6th,	Quincy, Wards 4, 5, 6,	William J. Leslie,	Quincy.
7th,	Weymouth,	John F. Dwyer,	Weymouth.
8th,	Avon, Braintree, Holbrook,	Charles H. Felker,	Avon.
9th,	Randolph, Sharon, Stoughton,	Jeremiah O'Leary,	Sharon.
10th,	Norwood, Walpole, Westwood,	Clifford B. Sanborn,	Norwood.
11th,	Dover, Medfield, Medway, Millis, Norfolk, Wellesley,	Louis La Croix,	Millis.
12th,	Bellingham, Foxborough, Franklin, Plainville, Wrentham,	Herbert E. Thompson,	Plainville.

COUNTY OF PLYMOUTH.

1st,	Plymouth,	John W. Churchill,	Plymouth.
2d,	Duxbury, Marshfield, Norwell, Pembroke, Scituate,	Charles H. Waterman,	Scituate.

COUNTY OF PLYMOUTH — CONCLUDED.

District.	Town or Ward.	Name of Representative.	Residence.
3d,	Cohasset, Hingham, Hull,	Ira G. Hersey,	Hingham.
4th,	Hanover, Hanson, Rockland,	George E. Mansfield,	Rockland.
5th,	Abington, Whitman,	Windsor H. Wyman,	Abington.
6th,	Carver, Lakeville, Marion, Mattapoisett, Rochester, Wareham,	Edward C. Bodfish,	Wareham.
7th,	Halifax, Kingston, Middleborough, Plympton,	Charles N. Atwood,	Middleborough.
8th,	Bridgewater, East Bridgewater, West Bridgewater,	Cleaveland A. Chandler,	E. Bridgewater.
9th,	Brockton, Wards 3, 4,	Edward N. Dahlborg,	Brockton.
10th,	Brockton, Wards 1, 2, 5,	Timothy J. Meade, Walter F. Russell,	Brockton. Brockton.
11th,	Brockton, Wards 6, 7,	Freeman Hall,	Brockton.

COUNTY OF BRISTOL.

1st,	Attleborough, North Attleborough, Norton, Seekonk,	Joseph Wm. Martin, Jr. George M. Worrall,	North Attleborough. Attleborough.
2d,	Easton, Mansfield, Raynham,	Clarence A. Barnes,	Mansfield.

COUNTY OF BRISTOL — CONCLUDED.

District.	Town or Ward.	Name of Representative.	Residence.
3d,	Taunton, Wards 5, 7, 8,	Elie J. Ducharme,	Taunton.
4th,	Taunton, Wards 2, 3, 4,	Joseph E. Warner,	Taunton.
5th,	Berkley, Dighton, Rehoboth, Taunton, Wards 1, 6,	J. Howard O'Keefe,	Taunton.
6th,	Acushnet, Dartmouth, Fairhaven, Freetown,	John M. Vincent,	Acushnet.
7th,	New Bedford, Wards 1, 2, 3,	D. Herbert Cook, Laurence S. Perry,	New Bedford. New Bedford.
8th,	New Bedford, Wards 4, 5, 6,	Andrew P. Doyle, Edward R. Hathaway,	New Bedford. New Bedford.
9th,	Fall River, Wards 1, 2, Westport,	William Booth, John F. Doherty,	Fall River. Fall River.
10th,	Fall River, Wards 3, 4, 5,	Edward F. Harrington, Thomas D. Sullivan,	Fall River. Fall River.
11th,	Fall River, Wards 6, 7, 8, 9, Somerset, Swansea,	Benjamin Ferring, Francis X. Le Bœuf, Frank Mulveny,	Fall River. Fall River. Fall River.

COUNTY OF BARNSTABLE.

1st,	Barnstable, Bourne, Falmouth, Mashpee, Sandwich,	Charles L. Gifford,	Barnstable.
2d,	Chatham, Dennis, Harwich, Yarmouth,	Henry H. Sears,	Dennis.

COUNTY OF BARNSTABLE — CONCLUDED.

District.	Town or Ward.	Name of Representative.	Residence.
3d,	Brewster, Eastham, Orleans, Provincetown, Truro, Wellfleet,	Jerome S. Smith,	Provincetown.

COUNTY OF DUKES COUNTY.

1st,	Chilmark, Edgartown, Gay Head, Gosnold, Oak Bluffs, Tisbury, West Tisbury,	William J. Look,	Tisbury.

COUNTY OF NANTUCKET.

1st,	Nantucket,	Benjamin Sharp,	Nantucket.

JAMES W. KIMBALL, ... *Clerk.*
DANIEL W. WALDRON, ... *Chaplain.*
THOMAS F. PEDRICK, ... *Sergeant-at-Arms.*

JUDICIAL DEPARTMENT.

SUPREME JUDICIAL COURT.

CHIEF JUSTICE.

ARTHUR PRENTICE RUGG, ... *of Worcester.*

ASSOCIATE JUSTICES.

JAMES MADISON MORTON, ... *of Fall River.*
JOHN WILKES HAMMOND, ... *of Cambridge.*
WILLIAM CALEB LORING, ... *of Boston.*
HENRY KING BRALEY, ... *of Boston.*
HENRY NEWTON SHELDON, ... *of Boston.*
CHARLES AMBROSE DE COURCY, ... *of Lawrence.*

SUPERIOR COURT.

CHIEF JUSTICE.

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ASSOCIATE JUSTICES.

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JOHN H. HARDY, ... *of Arlington.*
WILLIAM B. STEVENS, ... *of Stoneham.*
CHARLES U. BELL, ... *of Andover.*
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NATHAN D. PRATT, ... *of Lowell.*
FREDERIC H. CHASE, ... *of Boston.*
RICHARD W. IRWIN, ... *of Northampton.*

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JUDGE.

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RECORDER.

CLARENCE C. SMITH, ... *of Newton.*

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HARRY R. DOW, North Andover, ... ESSEX.
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EDWARD T. SLOCUM, Pittsfield, ... BERKSHIRE.
JAMES H. FLINT, Weymouth, ... NORFOLK.
LOYED E. CHAMBERLAIN, Brockton, ... PLYMOUTH.
ARTHUR M. ALGER, Taunton, ... BRISTOL.
FREEMAN H. LOTHROP, Barnstable, ... BARNSTABLE.
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JOHN D. COBB, Dedham, ... NORFOLK.
SUMNER A. CHAPMAN, Hanson, ... PLYMOUTH.
GUILFORD C. HATHAWAY, Fall River, ... BRISTOL.
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SAMUEL H. CAPEN, Dedham, ... NORFOLK.
HENRY S. PORTER, Plymouth, ... PLYMOUTH.
EDWIN H. EVANS, Taunton, ... BRISTOL.
HENRY M. PERCIVAL, Orleans, ... BARNSTABLE.
WALTER H. RENEAR, Tisbury, ... DUKES.
JOSIAH F. BARRETT, Nantucket, ... NANTUCKET.

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JOHN F. CRONIN, Boston, Supreme Judicial Court, . . SUFFOLK.
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JOHN P. MANNING, Boston, Sup. Court, Criminal Business, }
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ROBERT O. MORRIS, Springfield, ... HAMPDEN.
CLIFTON L. FIELD, Greenfield, ... FRANKLIN.
FRANK H. CANDE, Pittsfield, ... BERKSHIRE.
LOUIS A. COOK, Weymouth, ... NORFOLK.
EDWARD E. HOBART, Plymouth, ... PLYMOUTH.
SIMEON BORDEN, Fall River, ... BRISTOL.
ALFRED CROCKER, Barnstable, ... BARNSTABLE.
EVERETT ALLEN DAVIS, West Tisbury, ... DUKES.
JOSIAH F. MURPHEY, Nantucket, ... NANTUCKET.

MEMBERS OF THE SIXTY-THIRD CONGRESS.

[Congressional Districts established by Chap. 674, Acts of 1912.]

SENATORS.

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JOHN WINGATE WEEKS, ... *of Newton.*

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II. — FREDERICK H. GILLETT, . . . *of Springfield.*
III. — WILLIAM HENRY WILDER,*. . . *of Gardner.*
IV. — SAMUEL E. WINSLOW, . . . *of Worcester.*
V. — JOHN JACOB ROGERS, ... *of Lowell.*
VI. — AUGUSTUS P. GARDNER, . . . *of Hamilton.*
VII. — MICHAEL F. PHELAN, ... *of Lynn.*
VIII. — FREDERICK S. DEITRICK, . . . *of Cambridge.*
IX. — ERNEST W. ROBERTS, ... *of Chelsea.*
X. — WILLIAM F. MURRAY, ... *of Boston.*
XI. — ANDREW J. PETERS, ... *of Boston.*
XII. — JAMES M. CURLEY, ... *of Boston.*
XIII. — JOHN W. WEEKS,† . . . . *of Newton.*
XIV. — EDWARD GILMORE, ... *of Brockton.*
XV. — WILLIAM S. GREENE, ... *of Fall River.*
XVI. — THOMAS C. THACHER, ... *of Yarmouth.*

* Died Sept. 11, 1913.
† Resigned March 4, 1913; John J. Mitchell, of Marlborough, elected April 15, 1913, to fill vacancy.

APPENDIX

The following tables have been prepared by Fisher Ames, Esq., appointed to that duty under section 1 of chapter 9 of the Revised Laws, which directs the governor to "appoint a skilled person to prepare . . . a table of changes in the general laws," etc., to be printed in such editions of the laws as the governor shall direct."

TABLES

SHOWING

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SECTS. 422–425. New districts. St. 1906, 497; 1912, 674.

Chapter 12. — Of the Assessment of Taxes.

This chapter is in part superseded by St. 1909, 490 Part I; 1911, 89, 308, 366; 1912, 238; 1913, 473 § 2, 599 § 1, 823. (See 1910, 521; 1912, 222, 312; 1913, 649, 719 § 18.)

As to assistant assessors in Boston. See St. 1913, 484.

Act relative to the collection of poll taxes. St. 1913, 679. (See 1907, 560 § 15; 1909, 344 § 1.)

SECTS. 1–4. See St. 1902, 374 § 4; 1909, 440 § 2, 490 I §§ 1–4, 516. See also 1904, 403; 1906, 523; 1913, 636.

SECT. 5, cl. 3. See St. 1911, 400, 634 § 7; 1913, 82, 155. Cl. 8. See St. 1913, 578.

SECT. 5. Provision for reimbursing cities and towns for loss of taxes on land used for public institutions. St. 1910, 607; 1911, 478.

SECT. 5 amended. St. 1906, 315, 493; 1907, 367; 1908, 464 § 1, 594; 1909, 223, 490 I § 5, 516 § 1; 1910, 333, 559 § 3; 1912, 189; 1913, 578. (See 1906, 481; 1913, 832 § 8.)

SECT. 6 amended. St. 1908, 120; 1909, 187, 490 I § 6.
SECTS. 7, 8, 9 repealed and new provisions made. St. 1902, 374 §§ 1–3, 375; 1909, 440 § 2, 490 I § 7.
SECTS. 10–12. See St. 1903, 161; 1909, 243, 490 I §§ 10, 11; 1911, 135.
SECTS. 13–15. See St. 1902, 113; 1904, 385; 1909, 440 § 2, 490 I §§ 13–15; 1911, 75; 1913, 401.
SECT. 16. See St. 1909, 490 I § 16.
SECT. 17 amended. St. 1902, 112; 1909, 490 I § 17.
SECTS. 18–22. See St. 1909, 490 I §§ 18–22.
SECT. 23 amended. St. 1902, 342 § 1; 1909, 439 § 1, 440 § 2, 490 I § 23; 1911, 383 § 2; 1913, 458. (See 1906, 463 III § 126; 1909, 516 § 2.)
SECTS. 24–41. See St. 1909, 440 § 2, 490 I §§ 24–41; 1910, 260; 1913, 676.
SECT. 41 revised. St. 1903, 157 § 1; 1909, 440 §§ 2, 3.
SECTS. 42–48. See St. 1909, 490 I §§ 42–48; 1912, 621.
SECT. 49 repealed. St. 1902, 111. (See 1909, 490 I § 49.)
SECTS. 50–58. See St. 1909, 490 I §§ 49–57; 1913, 649.
SECT. 51 *et seq.* See St. 1913, 564 § 6.
SECT. 54 amended. St. 1908, 589 § 5.
SECT. 57 amended. St. 1908, 387 § 1.
SECT. 58 amended. St. 1907, 181; 1908, 314, 387 § 2; 1909, 440 § 2.
SECTS. 59–72. See St. 1909, 490 I §§ 58–71; 1913, 688.
SECTS. 60, 61, 63. See St. 1908, 314; 1909, 490 I §§ 60–63; 1912, 222, 312; 1913, 694.
SECTS. 73–84. See St. 1905, 381 § 7; 1906, 268 § 5; 1907, 521 § 3; 1909, 490 I §§ 72–83; 1911, 242; 1913, 226.
New section added, 1904, 442 § 1; 1909, 490 I § 84.
SECT. 84 amended. St. 1902, 91; 1909, 490 I § 83; 1913, 226.
SECTS. 85–101. See St. 1909, 490 I §§ 65–101; 1911, 89, 366; 1913, 453, 599 § 1.
SECT. 93 amended. St. 1904, 181; 1906, 271 § 11; 1909, 440 § 2, 490 I § 93; 1913, 453.
SECT. 94 amended. St. 1909, 440 § 2, 490 I § 94. (See 1908, 314.)
SECT. 100. Apportionment of state tax. St. 1911, 366, 752. (See 1909, 490 I § 101.)
SECT. 101. See St. 1909, 449, 490 I § 101; 1911, 366.

Chapter 13. — Of the Collection of Taxes.

This chapter is superseded in part by St. 1909, 490 II; 1911, 370; 1912, 390; 1913, 237, 255, 599 § 2. (See 1912, 360.)
Act relative to collection of poll taxes. St. 1913, 679. (See 1907, 560 § 15; 1909, 344 § 1.)
To facilitate prompt payment of taxes. St. 1913, 688, 824.
Provision for a special collector in towns. St. 1910, 272.
SECTS. 1–19. See St. 1909, 440 § 2, 490 II §§ 1–19; 1912, 272; 1913, 599 § 2, 679.
SECT. 13 amended. St. 1907, 378 § 2, 427; 1909, 490 II § 13, 512.
Acts to provide for authoritative ascertainment of municipal liens on real estate. St. 1907, 378 § 1; 1908, 299; 1909, 490 II § 20. (See 1911, 75.)

SECTS. 20–34. See St. 1909, 490 II §§ 21–35.
SECT. 26. See St. 1909, 490 I § 3; 1913, 636.
SECT. 31 amended. St. 1908, 99 § 1; 1909, 490 II § 32.
SECT. 35 amended. St. 1909, 440 § 2; 490 II § 36.
SECTS. 36–49. See St. 1909, 490 II §§ 37–50; 1913, 255.
SECT. 38 *et seq.* See St. 1912, 360, 390.
SECT. 43 amended. St. 1902, 423; 1905, 193; 1909, 490 II § 44; 1911, 370.
SECT. 44 amended. St. 1909, 259, 490 II § 45; 1912, 390.
SECTS. 49, 50. See St. 1909, 440 § 2, 490 II §§ 50, 51.
SECTS. 51–69. See St. 1909, 490 II §§ 52–70.
SECT. 58 amended. St. 1905, 325 § 1; 1909, 490 II § 59.
SECTS. 60, 61 superseded. St. 1902, 443; 1909, 490 II §§ 61, 62.
SECT. 61 amended. St. 1905, 325 § 2.
SECTS. 70–87. See St. 1909, 490 I § 83, II §§ 71, 89; 1913, 226.
SECT. 75 amended. St. 1905, 325 § 3; 1908, 226; 1909, 490 II § 76. (See 1906, 372.)
SECT. 76 *et seq.* See St. 1910, 272.
SECT. 80 amended. St. 1908, 247; 1909, 490 II § 82.
SECT. 83 amended. St. 1908, 99 § 2; 1909, 490 II § 85.
Sect. 87. Schedule of forms revised. St. 1913, 311. (See 1909, 490 II § 89.)

Chapter 14. — Of the Taxation of Corporations.

The law as to the taxation of corporations is revised. St. 1903, 437 §§ 45–48, 71–87; 1909, 342, 490 III; 1910, 216, 270, 456, 650; 1911, 337, 379, 383, 618; 1912, 457, 491; 1913, 473 § 1.
Act to regulate distribution of corporate franchise tax of domestic corporations. St. 1910, 456.
SECT. 1 amended. St. 1907, 564 § 1; 1909, 490 III § 1.
SECT. 2 amended. St. 1904, 99; 1906, 322; 1907, 564 § 2; 1909, 430, 490 III § 2; 1912, 543; 1913, 792. (See 1908, 550 § 1.)
Provision for supervisors of assessors. St. 1908, 550; 1909, 490 III § 2.
SECTS. 3–5. See St. 1909, 490 III §§ 3–5; 1911, 370; 1912, 272.
SECT. 4 amended. St. 1906, 271 § 1; 1908, 468; 1909, 440 § 2. Provision for order by commissioner as to method of keeping records. St. 1909, 490 III § 7. And revision of valuation. St. 1910, 260. (See 1910, 607; 1911, 478.)
SECT. 5 amended. St. 1908, 433 § 1. (See 1908, 433 § 2.)
SECTS. 6, 7 repealed. St. 1908, 468. (See 1911, 184.)
SECTS. 8, 9. See St. 1909, 490 III §§ 8, 11.
Assessment of salaries and expenses of railroad and gas and electric light commissions and of vessels engaged in foreign carrying trade. St. 1909, 490 III §§ 9, 10.
SECTS. 10–18. See St. 1909, 490 III §§ 12–20.
SECT. 17 amended. St. 1906, 271 § 2.
SECT. 19 amended. St. 1906, 271 § 3; 1907, 246; 1909, 342 § 1, 490 III § 21; 1911, 337; 1912, 189.
SECTS. 19–36. See St. 1909, 490 III §§ 21–38; 1910, 216; 1911, 383.

SECT. 20 amended. St. 1906, 271 § 4; 1909, 342 § 2.
SECT. 22 amended. St. 1906, 271 § 5.
SECT. 23. See St. 1909, 419 § 25.
SECT. 24 amended. St. 1903, 307 § 1.
SECTS. 24–34. See St. 1909, 490 III §§ 26–32; 1910, 235.
SECT. 32 amended. St. 1906, 271 § 6; 1909, 440 § 1.
SECT. 33 amended. St. 1906, 271 § 8.
SECT. 34. See St. 1911, 339.
SECT. 35 amended. St. 1908, 520 § 12; 1909, 440 § 2.
SECTS. 35, 36. See St. 1909, 490 III §§ 37, 38; 1910, 216.
SECTS. 37–40 in part repealed. St. 1903, 437 §§ 48, 95; 1906, 463 II § 125 *et seq.*, 211, 217, 258; 1912, 695. (See 1902, 342 §§ 2–4.)
SECT. 37 amended. St. 1909, 267 § 1, 440 § 2. (See 1910, 650; 1911, 184.)
SECT. 38 amended. St. 1909, 267 § 2, 439 § 2, 440 § 2. (See 1902, 342 § 3; 1903, 437 §§ 71, 95; 1909, 490 III § 41; 1910, 270; 1911, 379.)
SECT. 39 amended. St. 1902, 342 § 3; 1906, 463 II § 258; 1909, 439 § 3, 490 III § 42.
SECT. 40 amended. St. 1906, 271 § 9; 1909, 490 III § 43.
SECTS. 41, 43–47 repealed. St. 1906, 463 III § 158. (See 1906, 463 III §§ 130, 133; 1909, 440 § 3, 490 III §§ 44, 47–51.)
SECT. 42 amended. St. 1902, 342 § 5. In part repealed. St. 1903, 437 § 95; 1909, 439 § 4, 490 III § 45. (See 1906, 463 III § 129.)
Assessment in case of abatement of corporation tax. St. 1904, 442 § 2; 1909, 490 III § 46.
SECT. 48. See St. 1909, 490 III § 52.
SECTS. 49–52 repealed. St. 1903, 437 § 95. (See 1904, 261 § 1.)
SECT. 53. See St. 1909, 490 III § 53.
SECTS. 54–63 in part repealed. St. 1903, 437 § 95. (See 1906, 349, 516; 1908, 614; 1909, 440 § 2, 490 III §§ 58–63.)
Taxation of foreign corporations. St. 1903, 437 § 75; 1907, 578; 1909, 490 III §§ 54–56.
SECTS. 54–58. Penalties for non-payment of corporation taxes. See St. 1909, 490 III §§ 58–63.
SECT. 54 amended. St. 1906, 271 § 10; 1909, 490 III § 57.
SECT. 55 amended. St. 1908, 318; 1909, 490 III § 59, 528. (See 1911, 339.)
SECTS. 58, 61 amended. St. 1909, 440.
SECT. 59. See St. 1909, 490 III § 59; 1911, 339.
SECT. 61 amended. St. 1903, 437 § 86; 1906, 516 § 20; 1908, 614 § 1; 1909, 490 III § 64.
SECTS. 62–64. See St. 1909, 490 III §§ 65–67.
SECT. 65 amended. St. 1909, 490 III § 68. (See 1903, 437 § 77; 1907, 329, 586 § 6; 1908, 220.)
SECTS. 66–68 in part repealed. St. 1903, 437 § 95.
SECT. 67 amended. St. 1906, 349; 1909, 490 III § 70.
SECT. 69 repealed. St. 1903, 437 § 95.
Taxation of express companies. St. 1909, 490 III §§ 72–79.

Chapter 15. — Of the Taxation of Collateral Legacies and Successions.

This chapter is repealed and superseded by St. 1907, 563; 1908, 268, 624; 1909, 266, 268, 490 IV, 527; 1910, 440, 481; 1911, 191, 359, 502, 551; 1912, 234, 678; 1913, 498, 689. (See 1902, 473; 1903, 248, 251, 276; 1904, 421; 1905, 367, 470; 1906, 436.)

As to bequest or devise free of tax, see St. 1907, 452, 563 § 11; 1909, 490 IV §§ 10, 11.

SECT. 8. See St. 1912, 360.

Chapter 16. — Of the Militia.

This chapter is revised. St. 1908, 604; 1909, 167, 170, 298, 300, 323; 1910, 225, 227, 228, 283, 299, 348; 1911, 145, 298, 326, 449, 514, 554, 594, 633, 642, 670, 747; 1912, 58, 67, 71, 87, 116, 117, 138, 142, 268, 358, 365, 399, 441, 444, 464, 506, 519, 568, 593, 665, 720; 1913, 268, 321, 468, 524, 532, 664, 710, 733, 812. (See 1902, 158, 336, 493; 1903, 151, 247, 377, 457, 481; 1904, 226, 231, 361, 371, 439; 1905, 202, 298, 391, 465, 468; 1906, 198, 212, 273, 373, 423, 469, 504; 1907, 232 § 4, 305, 356, 526; 1908, 315, 317, 344, 354, 371, 434; 1909, 118, 280; 1910, 513.)

Organization of militia. St. 1912, 720.

Act to prevent interfering with militia or with enlistment. St. 1912, 358.

Act relative to qualifications of officers. St. 1912, 464.

Acts relative to retirement of commissioned officers. St. 1908, 604 § 91 *et seq.*; 1912, 444; 1913, 468.

Acts relative to state and military aid and to the burial of indigent soldiers and sailors. St. 1909, 468; 1910, 467, 470.

Act to abolish naval bureau. St. 1912, 365. (See 1913, 224.)

As to certain expenses of instructors, etc., see St. 1909, 280.

Provision for teams in rifle contests. St. 1909, 300. (See 1913, 812.)

Act relative to fines by courts-martial. St. 1912, 519.

Powers of armory commissioners. St. 1908, 604 §§ 132–134; 1909, 323; 1912, 665; 1913, 812.

Governor may exclude traffic from highways during practice or manœuvres of militia. St. 1912, 147.

Reward for civil war veterans. St. 1912, 702; 1913, 105, 443.

SECTS. 178, 179. See St. 1908, 604 §§ 39, 201, 202; 1910, 348 § 2; 1913, 268.

Chapter 18. — General Provisions relative to State Officers.

Retirement system for state employees. St. 1911, 352; 1912, 363; 1913, 310, 711. (See 1913, 807.)

Act relative to filing of official letters. St. 1913, 702.

SECT. 6 amended. St. 1910, 452. List of officials, employees and compensations to be printed annually. St. 1910, 268; 1911, 43; 1913, 534. Payment for injuries. St. 1911, 751; 1912, 571, 666, 684; 1913, 807.

SECT. 10. Commonwealth to repay charge of surety company for suretyship. St. 1908, 469.

SECT. 13 revised. St. 1903, 229 § 1. (See 1910, 473.) Treasurers and disbursing officers of state institutions shall keep an office and books. St. 1908, 195. (See 1905, 330; 1908, 269; 1909, 504 § 22; 1912, 442.)

SECT. 14 repealed. St. 1903, 229 § 2.

No public officer or body, or member thereof, shall interfere with employment in public service corporations. St. 1903, 320; 1908, 228; 1909, 514 §§ 25, 26.

SECT. 16 amended. St. 1904, 295.

Chapter 19. — Of the Civil Service.

Extensions of the provisions of this chapter. St. 1903, 102; 1904, 143; 1907, 292; 1909, 382; 1910, 624 § 1; 1911, 468; 1912, 78, 504, 579, 597; 1913, 484, 548, 672. Limitations. St. 1902, 413; 1904, 430; 1908, 185; 1909, 311, 432, 453 § 2; 1911, 550 § 19; Res. 1911, 142; St. 1912, 212, 614; 1913, 344, 816.

Removals and suspensions regulated. St. 1904, 314; 1905, 243; 1906, 210; 1907, 272; 1911, 624. (See 1900, 69 § 3; 1904, 288; 1907, 245, 458; 1909, 405 § 1; 1912, 550.)

Retirement system for state employees. St. 1911, 532; 1912, 363; 1913, 310, 711.

Acts to establish pension systems. St. 1910, 619; 1911, 113, 338, 413, 532, 634; 1912, 363; 1913, 63, 310, 313, 367, 642, 671. (See 1911, 673, 675; 1913, 657.)

Act relative to posting notices of examinations. St. 1906, 277.

Provision for publicity in certain cases. St. 1906, 306.

No public officer or body, or member thereof, shall interfere with employment in public service corporations. St. 1903, 320; 1908, 228; 1909, 514 § 25. (See 1904, 343 § 1.)

A board of publication is established. St. 1902, 438. A board of labor and industries. St. 1912, 726.

SECT. 1 amended. St. 1906, 159; 1907, 344; 1910, 608.

SECT. 2 amended. St. 1907, 454. Additional employees. St. 1906, 465 § 1; 1910, 184, 204. (See 1908, 195.)

SECT. 4 *et seq.* See St. 1906, 277.

SECT. 5 amended. St. 1902, 308.

SECT. 6 *et seq.* Acts relative to civil service rules and regulations. St. 1904, 198; 1909, 382. (See also 1904, 194; 1911, 352.)

SECT. 9. Exemptions. St. 1907, 245.

SECTS. 10, 11. See St. 1908, 210; 1909, 332.

SECT. 12 amended. St. 1911, 119.

SECT. 13 amended. St. 1911, 63. (See 1911, 119.)

SECT. 16 amended. St. 1912, 212.

SECTS. 21, 22 limited. St. 1902, 413; 1904, 430; 1908, 185; 1909, 311, 432; 1912, 614; 1913, 344, 816.

SECT. 23 extended. St. 1904, 314. Amended. St. 1905, 150; 1910, 500. Limited. St. 1909, 311, 453 § 2. Retirement pension of veterans. St. 1907, 458; 1909, 398; 1910, 459: 1911, 113, 725; 1912, 55, 395, 447; 1913, 313, 545, 671, 681.

SECT. 30 *et seq.* See St. 1907, 581; 1910, 55.
SECT. 34 revised. St. 1910, 359.
SECT. 36 amended. St. 1902, 544 § 3.
SECT. 37. See St. 1903, 102; 1904, 143, 288.

Chapter 20. — Of Counties and County Commissioners.

Retirement system for county employees. St. 1911, 634; 1913, 817. Payment for injuries while employed. St. 1911, 751; 1912, 571, 666, 684; 1913, 807.

Act to give to cities original and concurrent jurisdiction over highways, county roads and bridges. St. 1913, 546.

County commissioners authorized to kill sheep-worrying dogs in certain cases. St. 1902, 226; 1904, 127. To provide bacteriological facilities. St. 1913, 328. Provision for bounty for killing a wild-cat or Canada lynx. St. 1903, 344. Damages caused by deer. St. 1903, 407; 1912, 438. (See 1908, 379; 1909, 396; 1910, 545.)

SECT. 7. See St. 1909, 271.

SECTS. 8, 9 in part repealed. St. 1911, 581 § 4. (See 1904, 165; 1911, 587.)

SECT. 14. Salaries classified and established. St. 1904, 451; 1905, 179; 1906, 290; 1910, 537; 1911, 299; 1913, 603, 651, 674. (See 1902, 411, 544 § 4.) Last sentence amended. St. 1911, 162.

SECT. 16 amended. St. 1908, 431 § 1.
SECT. 17 revised. St. 1908, 431 § 2.
SECT. 19 revised. St. 1908, 431 § 3.
SECT. 20 limited. St. 1908, 640 § 6; 1913, 778 § 12.
SECT. 24 *et seq.* See St. 1902, 226; 1903, 243, 344; 1906, 463 I § 23, II §§ 117, 122; 1908, 542, 552, 606 §§ 5–7; 1909, 47 § 1, 213, 398; 1910, 459; 1913, 633 § 2, 803, 835 §§ 391, 392.

SECT. 27. Provision to secure persons furnishing materials or labor on public works. St. 1904, 349; 1909, 514 § 23. (See 1907, 188.)

SECT. 30. See St. 1904, 317, 443 §§ 2, 6.

Chapter 21. — Of County Treasurers, the Controller of County Accounts and County Finances.

Retirement system for county employees. St. 1911, 634; 1913, 817. (See 1912, 723.) Payment for injuries. St. 1911, 751; 1912, 571, 666, 684; 1913, 807.

SECT. 1. See St. 1904, 451 § 4; 1908, 391; 1913, 835 §§ 391, 392.

SECT. 2 amended. Salaries classified and established. St. 1904, 451; 1905, 179; 1910, 537; 1911, 299. Essex. St. 1913, 423. Middlesex. St. 1906, 290.

SECT. 3. Clerical assistance: Bristol, St. 1912, 333. (See 1906, 398; 1909, 283.) Essex, 1911, 270 § 1. (See 1905, 322 § 1.) Hampden, 1912, 174. (See 1905, 163; 1908, 349.) Hampshire, 1911, 122; 1913, 419. (See 1905, 322 § 2.) Middlesex, 1911, 270 § 1. Norfolk, 1907, 231. Plymouth, 1912, 298. (See 1905, 332 § 1.) Worcester, 1908, 352.

Sect. 8 *et seq.* Certain advances authorized. St. 1912, 77. (See 1913, 191.)

Sects. 9–13. See St. 1909, 271; 1912, 387.

Sect. 11. See St. 1909, 136; 1912, 377.

Sect. 20. See St. 1904, 277 § 2.

Sect. 21. See St. 1908, 464, 594; 1909, 136, 148; 1910, 137; 1912, 377.

Sect. 22 amended. St. 1911, 36; 1913, 121. (See 1913, 120.)

Sects. 25–28. See St. 1911, 634.

Sect. 27 amended. St. 1911, 447.

Sects. 39, 40. Non-interest-bearing notes may be issued and sold at a discount. St. 1904, 153. (See 1908, 464 § 1, 594; 1909, 136, 148; 1910, 137.) Bonds to be exempt from taxation in Massachusetts, if so stated on face. St. 1908, 461 § 1; 1909, 490 I § 5.

Act to provide for the registration of bonds, etc., held in sinking funds. St. 1912, 377. (See 1909, 136.) Act relative to filing of official letters. St. 1913, 702.

Sect. 44. See St. 1909, 271.

Sect. 46 amended. St. 1912, 406.

Sect. 48 amended. St. 1911, 35.

Chapter 22. — Of Registers of Deeds.

Provision for registers *pro tempore*. St. 1909, 213.

Sect. 7 amended. St. 1902, 544 § 5.

Sects. 8, 9–12. Additional assistant in Suffolk. St. 1908, 612. (See 1909, 213; 1913, 835 §§ 391, 392.)

Sect. 9. See St. 1907, 225; 1912, 64.

Sect. 12 amended. St. 1906, 67. (See 1907, 225.)

Sect. 13. See St. 1909, 271; 1910, 373, 473; 1911, 136; 1912, 635 §§ 87, 88.

Sect. 14. See St. 1910, 376.

Sect. 18. See St. 1907, 225.

Sect. 21 *et seq.* See St. 1909, 271.

Sects. 22, 23 affected. St. 1909, 160.

Sect. 24. See St. 1907, 225.

Sect. 30. Suffolk added. St. 1909, 291; 1910, 373.

Sect. 31 amended. St. 1902, 422.

Sect. 32 amended. Salaries classified and established. St. 1904, 452; 1912, 553; 1913, 682, 737.

Sect. 33. Increase in Norfolk. St. 1913, 227. (See 1909, 271; 1910, 373.)

Sect. 34. Certain moneys to be deposited. St. 1911, 36. (See 1908, 365; 1910, 273; 1912, 502 § 25.)

Chapter 23. — Of Sheriffs.

Act relative to fees for service of civil process. St. 1913, 611.

Term of office. St. 1910, 246.

Sheriff of any county except Suffolk may remove prisoners to and from jail and house of correction. St. 1909, 312.

SECT. 1. See St. 1908, 195, 469.
SECTS. 2, 3. See St. 1913, 501.
SECT. 12. See St. 1912, 184, 372.
SECT. 17. Tenure of office. St. 1906, 147; 1911, 322. (See 1913, 835 §§ 339, 391.)
SECT. 18. Salaries changed: Barnstable, St. 1912, 548. Berkshire, 1913, 481. Essex, 1907, 254. Franklin, 1912, 561. (See 1902, 359.) Hampden, 1906, 233. Hampshire, 1908, 442. Middlesex, 1912, 115. Norfolk, 1908, 446. Plymouth, 1913, 637. (See 1902, 436.) Worcester, 1908, 397. (See 1913, 501.)
SECTS. 20, 21. Provision for estimate of expenses in Suffolk. St. 1909, 271; 1910, 373.

Chapter 24. — Of Medical Examiners.

SECT. 2 amended. St. 1911, 365; 1912, 466; 1913, 335.
SECT. 7 amended. St. 1908, 424.
SECT. 9 extended. St. 1911, 274.
SECT. 10 amended. St. 1909, 273 § 1.
SECT. 11 revised. St. 1912, 443. (See 1904, 119; 1909, 273 § 2.)
SECT. 14 revised. St. 1912, 496.

Chapter 25. — Of Towns and Town Officers.

Act relative to municipal indebtedness. St. 1913, 719.
Towns may regulate town meetings and elections. St. 1902, 346; 1907, 560 §§ 359, 360; 1909, 174; 1912, 252, 308, 473. May establish pension systems for employees. St. 1910, 619; 1911, 338; 1912, 503. (See 1913, 657, 671.) Provision for payment for injuries received by employees. St. 1911, 751 II §§ 6–8; 1912, 571, 666, 684; 1913, 807.
Act to establish the financial year of towns. St. 1913, 692.
Act relative to the filing of official letters. St. 1913, 702.
Provision for treatment or purification of sewage. St. 1909, 433.
Provision for boards of survey. St. 1907, 191. For planning boards in certain towns. St. 1913, 494. (See 1911, 607; 1913, 595, 655 § 14.)
Act to determine disposition of premiums on municipal bonds. St. 1910, 379.
Certain towns must establish and maintain isolation hospitals for dangerous diseases. St. 1911, 613. (See 1906, 365; 1909, 391.) And tuberculosis dispensaries. St. 1911, 576. (See 1911, 597; 1912, 637.)
Town may provide for appointment of a town accountant. St. 1910, 624. (See 1910, 598; 1911, 207; 1912, 387; 1913, 669, 706 § 2.) Inspector of petroleum. St. 1911, 204. May provide industrial schools. St. 1911, 471 § 4. (See 1906, 505; 1908, 572; 1909, 457, 540; 1912, 106.) For an advisory or finance committee. St. 1910, 130 § 1. May establish a rifle range. St. 1908, 256. Public gymnasiums, baths, etc. St. 1908, 392. An art commission. St. 1911, 146. Town may appropriate money for observance of "old home week or day." St. 1902, 109; 1907, 311. And, not exceeding $500, for band concerts. St. 1904, 152; 1908, 290. For

propagation and cultivation of shellfish. St. 1904, 282 § 1; 1909, 469. Employment of nurses. St. 1911, 72. Removal of snow and ice from sidewalks in certain cases and assess cost on abutting estates. St. 1902, 205. Monuments to soldiers and sailors of the revolution. St. 1903, 116. (See 1910, 90.) Certain pensions. St. 1907, 186; 1908, 498; 1910, 619. Grand Army posts. St. 1913, 62. Maintenance of highways, with neighboring city or town. St. 1907, 196. Improvement of harbors, etc. St. 1909, 481 § 3. Towns may regulate and license junk collectors. St. 1902, 187. May grant permits in certain cases for transportation of intoxicating liquors. St. 1906, 421 § 2; 1911, 423. May contribute toward expenses of state highways. St. 1904, 125. May regulate speed of automobiles and motor cycles, and use thereof in certain ways. St. 1909, 534 § 17; 1913, 803. (See 1903, 473 § 14; 1905, 311, 366; 1906, 353, 412; 1907, 203, 494; 1908, 263, 467; 1912, 400.) May license lunch wagons. St. 1908, 360. May establish hours of labor of fire department. St. 1904, 315; 1909, 514 § 44. (See 1909, 514 § 42; 1911, 494; 1913, 822.) May provide for care of neglected burial grounds. St. 1902, 389. May restrict catching of pickerel. St. 1905, 417. (See 1912, 110; 1913, 573.) And lobsters. St. 1909, 265. May regulate renting of boats or bathing suits for use on great ponds. St. 1910, 400. Selectmen may authorize street railway companies to take land for certain purposes. St. 1903, 476 § 1. Towns having no electric light may contract therefor with street railway companies. St. 1902, 449; 1906, 218. (See 1906, 463 III § 60.) Provision for suppressing elm leaf beetles and gypsy and brown-tail moths. St. 1902, 57; 1905, 381; 1906, 268; 1907, 475, 521; 1908, 591; 1910, 150; 1911, 474; 1913, 585, 600. (See 1909, 263; 1911, 242; 1912, 112; 1913, 605.) Bounty to be paid for killing a wild-cat, Canada lynx or loup-cervier. St. 1903, 344. As to damages caused by wild deer, see St. 1903, 407; 1905, 419; 1908, 377; 1909, 396; 1912, 438. Act for protection of forest or sprout land from fire. St. 1908, 209. (See 1907, 475; 1909, 394 § 2, 422.) Provision for repayment to certain towns of part of cost of apparatus to prevent or extinguish forest fires. St. 1910, 398. For protection of sources of water supply. St. 1908, 499. Provision for public playgrounds in certain cities and towns. St. 1908, 513; 1910, 508; 1912, 223. Free meals for school children. St. 1913, 575. For sanitary stations in certain towns. St. 1911, 596. For encouraging and promoting building and use of tuberculosis hospitals. St. 1911, 597. Disposition of certain disabled horses. St. 1908, 133. Regulation of construction and use of buildings. St. 1912, 334; 1913, 655. Act relative to tenement houses in towns. St. 1912, 635; 1913, 441, 614.

No town or town official shall publish names of persons aided by poor department. St. 1910, 412. See 1912, 331.

Acts relative to the supervision of the business of plumbing. St. 1909, 536; 1910, 597; 1912, 518, 635 § 34; 1913, 786 § 32.

Acts relative to taking land in certain cases by right of eminent domain. St. 1904, 443; 1905, 390; 1913, 401. (See 1902, 451 § 1; 1913, 68, 148.) Act relative to common landing places. St. 1908, 606.

Act to provide for registration of bonds, etc., in sinking funds. St. 1912, 377.

Cities and towns authorized to establish municipal building insurance funds. St. 1905, 191; 1907, 576 § 102. And contingent and reserve funds. St. 1912, 347; 1913, 645.

SECT. 13 extended. St. 1907, 232 § 1.

SECT. 14 amended. St. 1902, 544 § 6. (See 1908, 499.)

SECT. 15. Par 5, see St. 1904, 125; 1907, 196. Par. 12 amended, St. 1913, 62. Par. 13 amended, 1903, 116; 1910, 90. Par. 15, see St. 1903, 483. See also, St. 1908, 290, 392, 498.

SECT. 16. See St. 1902, 57; 1905, 381; 1906, 268; 1907, 521; 1908, 591; 1909, 444.

SECT. 18 amended. St. 1908, 91.

SECT. 22 amended. St. 1909, 289. (See 1908, 452.)

SECT. 23. Par. 1, see St. 1910, 565 § 2. Par. 4, see St. 1902, 205. Par. 7, see St. 1903, 383 § 3. Par. 8, see St. 1903, 459; 1909, 103 § 1.

SECT. 24. See St. 1903, 473 § 14; 1905, 366 § 1.

SECT. 26 revised. By-laws to be approved by attorney-general and published three times. St. 1904, 344 § 1; 1910, 130 § 2. (See 1904, 344 § 2; 1905, 144.)

SECT. 27. Repeal and substitute. St. 1907, 117; 1908, 142.

SECT. 28. See St. 1911, 136.

SECT. 29. See St. 1910, 412, 598.

SECT. 31 *et seq.* Towns and cities may authorize laying of pipes and conduits for conveyance of water. St. 1903, 459. (See 1913, 422.) And for heating and power. St. 1909, 103 § 1.

SECT. 32. See St. 1912, 377.

SECT. 35 extended. St. 1902, 361.

SECT. 37. See St. 1905, 266.

SECT. 39 affected. St. 1910, 405.

SECT. 44. See St. 1909, 371 § 6; 1910, 598.

SECT. 45 *et seq.* See St. 1904, 317, 443; 1905, 266, 390.

SECT. 49. See St. 1905, 266.

SECT. 52. See St. 1906, 463 III §§ 64–66; 1911, 442, 481.

SECT. 55. See St. 1911, 339.

SECT. 57. Repeal and substitute. St. 1909, 514 §§ 22, 145. (See 1904, 349.)

SECT. 59 *et seq.* See St. 1904, 364; 1905, 317 § 2; 1906, 277; 1908, 209 § 3, 306, 402 § 2, 484 §§ 2, 4; 1911, 325 § 1, 614, 727 § 22; 1912, 391.

SECT. 65 affected. St. 1907, 191 § 1, 560 § 371, 579 § 1.

SECT. 68. See St. 1907, 560 § 371, 579.

SECT. 69 amended. St. 1909, 517 § 3. (See 1908, 550.)

SECT. 72 *et seq.* See St. 1904, 458 § 3; 1910, 379, 624 §§ 2, 5; 1912, 377, 387.

Acts relative to form of notes for money borrowed. St. 1910, 616; 1912, 45, 49. (See 1912, 377; 1913, 416, 677.)

SECT. 74 amended. St. 1904, 277 § 1. Police officer or treasurer may prosecute for fines, etc. St. 1904, 277 § 2.

SECT. 75. See St. 1908, 99; 1909, 490 II §§ 32, 85.

SECTS. 76–78. Provision for special collector. St. 1910, 272. For reimbursing towns for loss of taxes on land used for public institutions. St. 1910, 607; 1911, 478.

SECT. 79. Certain trust accounts to be audited. St. 1904, 322. (See 1906, 296; 1912, 377, 387.) Provision for town accountants. St. 1910, 624; 1911, 207. (See 1912, 387; 1913, 669.)

SECTS. 81–83. Act to authorize establishment of board of survey. St. 1907, 191. (See 1907, 560 § 364; 1908, 552; 1911, 222.)

SECT. 83. See St. 1902, 57.

SECT. 84. See St. 1909, 433.

SECT. 87. Inspectors of milk. St. 1909, 405; 1910, 114, 457. (See 1911, 278.) Fish and game wardens. St. 1912, 465.

SECT. 91 *et seq.* See St. 1912, 372, 482.

SECT. 94. Policemen and firemen may be pensioned. St. 1904, 327. (See 1911, 137.) And their widows. St. 1907, 186. (See 1909, 453; 1913, 545, 671, 681.) Provision for license to carry loaded pistol. St. 1906, 172 § 1; 1908, 350; 1911, 548. Vacations for policemen. St. 1908, 476; 1911, 210, 625. (See 1909, 346 § 2.)

SECT. 95. See St. 1909, 490 II § 13, 512.

SECT. 99. See St. 1909, 514 § 37.

SECT. 100. See St. 1908, 464, 594; 1911, 339.

Chapter 26. — Of Cities.

Act relative to municipal indebtedness. St. 1913, 719.

Contracts made by cities shall be open to inspection by the public. St. 1907, 343; 1909, 201.

As to jurisdiction over highways and bridges. See St. 1913, 546.

Provision for reimbursing cities for loss of taxes on lands used for public institutions. St. 1910, 607; 1911, 478.

Act to determine disposition of premiums upon municipal bonds. St. 1910, 379. To provide for registration of bonds, etc., in sinking funds. St. 1912, 377.

Provision for treatment or purification of sewage. St. 1909, 433. Inspection of milk. St. 1909, 405. (See 1911, 278.) Inspection of petroleum. St. 1911, 204. Cold storage. St. 1910, 640; 1912, 652. For sanitary stations. St. 1911, 596. To encourage and promote building and use of tuberculosis hospitals. St. 1911, 597; 1912, 637.

Cities must provide a place for preservation of certain public documents. St. 1907, 117; 1908, 142. Isolation hospitals for dangerous diseases. St. 1911, 613. (See 1906, 365; 1909, 391.) And tuberculosis dispensaries. St. 1911, 576. (See 1911, 167.) No city or city official shall publish names of persons aided by poor department. St. 1910, 412.

Provision for planning boards. St. 1913, 494. (See 1911, 607; 1913, 595.) Cities and towns authorized to establish municipal building insurance funds. St. 1905, 191; 1907, 576 § 102. Retirement systems for employees. St. 1910, 619; 1911, 338; 1912, 503. To establish industrial schools. St. 1906, 505 § 3. Provision for payment for injuries to employees. St. 1911, 751; 1912, 571, 666, 684; 1913, 807. Evening classes

in practical arts for women. St. 1912, 106. (See 1908, 572; 1909, 540; 1911, 471 § 11.) Art commissions. St. 1911, 146. A rifle range. St. 1908, 256. Provision for suppressing elm leaf beetles and gypsy and brown-tail moths. St. 1902, 57; 1905, 381; 1906, 268; 1907, 475, 521; 1908, 591; 1910, 150; 1911, 474; 1913, 585, 600. (See 1909, 263; 1911, 242; 1912, 112; 1913, 605.) For disposition of disabled horses. St. 1908, 133.

City may appropriate money for observance of "home week." St. 1902, 109. For memorials of persons who served in Spanish-American war. St. 1902, 286. And war of the revolution. St. 1903, 116. Free meals for school children. St. 1913, 575. Care of neglected burial grounds. St. 1902, 389. Propagation and cultivation of shellfish. St. 1904, 282 § 1. (See 1909, 265.) Maintenance of highway, with neighboring city or town. St. 1907, 196. May contribute toward expense of state highways. St. 1904, 125. May regulate and license junk collectors. St. 1902, 187. Erection and use of buildings. St. 1912, 234; 1913, 655. And renting of boats or bathing suits for use on great ponds. St. 1910, 400. Lunch wagons. St. 1908, 360. May regulate speed of automobiles and motor cycles, and use thereof in certain ways. St. 1909, 534 § 17. (See 1903, 473; 1905, 311, 366; 1906, 353, 412; 1907, 203, 494, 580; 1908, 263, 467; 1912, 400, 803.) May establish hours of labor of fire department. St. 1904, 315; 1909, 514 § 44. Provision for pensions in certain cases. St. 1907, 186; 1908, 498; 1910, 619. (See 1911, 113, 413.) Aldermen may authorize street railway companies to take land for certain purposes. St. 1903, 476 § 1. (See 1906, 463 III § 59.) Cities may authorize laying of pipes and conduits for conveyance of water. St. 1903, 459. (See 1913, 422.) May grant permits in certain cases for transportation of intoxicating liquors. St. 1906, 421 § 2; 1911, 423.

Acts relative to taking land in certain cases by right of eminent domain. St. 1904, 443; 1905, 390; 1913, 401. (See 1902, 451 § 1; 1913, 68, 148.)

SECT. 2. See St. 1904, 349; 1906, 277, 296 § 1; 1908, 552; 1910, 412; 1911, 325 § 1, 614; 1912, 377, 387.

SECT. 7. Overseers of the poor to be elected for three years in certain cities. St. 1902, 444.

SECTS. 7, 8. See act relative to term of office of municipal auditors. St. 1905, 373. And of police officers. St. 1906, 210; 1907, 272.

SECT. 15. See St. 1906, 277 § 2; 1913, 408.

SECT. 18. See St. 1910, 640; 1912, 652.

SECT. 19. See St. 1906, 210; 1907, 272; 1908, 476.

SECT. 21 amended. St. 1910, 261. Cities (except Boston) may provide annuities for widows and minor children of police officers who die from injuries received in discharge of duty. St. 1902, 437. (See 1903, 312, 428; 1909, 188, 453; 1913, 545, 657 671, 681.) Vacations for policemen. St. 1908, 476; 1911, 210, 625. Pensions for policemen and firemen. St. 1904, 327; 1913, 697, 800. (See 1913, 545, 657, 671, 681, 770.)

SECT. 22. See St. 1907, 577; 1909, 514 §§ 52, 145.

SECT. 26 amended. St. 1909, 440 § 2. Affected. St. 1909, 289.

SECT. 28. See St. 1903, 457; 1904, 371; 1905, 391, 465 § 112; 1913, 62.

SECT. 33 limited. St. 1908, 48.

Sect. 37. See St. 1911, 339.
Sect. 39. See St. 1909, 346 § 2, 394 § 2.
Sect. 40. See St. 1906, 291 § 10; 1910, 405; 1911, 282.

Chapter 27. — Of Municipal Indebtedness.

Act to establish the financial year of towns. St. 1913, 692. Act relative to municipal indebtedness. St. 1913, 719.

Act to determine disposition of premiums on municipal bonds. St. 1910, 379. To provide for registration of bonds, etc., in sinking funds. St. 1912, 377. Payment of outstanding demand notes and restoration of trust funds. St. 1913, 634. Relative to petitions to borrow money outside of debt limit. St. 1913, 677.

Contracts made by cities shall be open to public inspection. St. 1907, 343; 1909, 201. Pay-rolls, bills and accounts for services to be verified by oath. St. 1913, 520, 825. Act relative to approval of bills against cities and towns. St. 1913, 469.

Provision for installation of a system of accounts by director of bureau of statistics. St. 1910, 598; 1913, 706. For town accountants. St. 1910, 624; 1911, 207; 1913, 669. (See 1913, 719 § 8.) Contingent and reserve funds for towns. St. 1912, 347; 1913, 645.

Cities and towns authorized to establish municipal building insurance funds. St. 1905, 191; 1907, 576 § 102.

Act relative to the issuing of notes by fire, water, watch, light and improvement districts. St. 1913, 727.

Sect. 3. See St. 1905, 191 § 2; 1907, 576 § 103.
Sect. 5 revised. St. 1908, 341 § 2.
Sects. 6, 10. Notes may be non-interest bearing and sold at a discount. St. 1904, 153. (See 1908, 250 § 2, 464, 594; 1909, 136, 148; 1913, 719.)
Sect. 9. Act relative to form of notes. St. 1910, 616.
Sects. 9, 10. Provision for registration of bonds, etc., held by the Commonwealth. St. 1909, 136 § 1; 1912, 377. For disposition of premiums on bonds. St. 1910, 379.
Sect. 10 amended. St. 1908, 250 § 1. (See 1909, 136.)
Sect. 11 amended. St. 1903, 375. (See 1913, 719 § 24.)
Sects. 12–19. See St. 1910, 379 §§ 2, 3; 1913, 719 §§ 12, 13.
Sect. 13 amended. St. 1908, 341 § 1; 1911, 350 § 1. (See 1909, 486 § 26, 490 I § 96; 1910, 437; 1911, 165, 308.)
Sects. 13–15. See St. 1902, 325; 1911, 463.
Sect. 15. See St. 1905, 191 § 3; 1907, 576 § 104.

Chapter 28. — Of Public Parks, Playgrounds and the Public Domain.

Provision for an art commission. St. 1910, 422.

Provision for public playgrounds in certain cities and towns. St. 1908, 513; 1910, 508.

Power boats must display lights at night in certain waters. St. 1910, 397.

Act relative to alteration of name of a public park in certain cases. St. 1909, 134.

The taking of land in certain cases by right of eminent domain is regulated. St. 1904, 443; 1905, 390; 1913, 564. (See 1902, 521 § 1 [17]; 1904, 317; 1913, 525, 719 § 4.)

Office of state forester established and duties prescribed. St. 1904, 409; 1907, 473; 1909, 263, 452; 1911, 244; 1912, 419, 625. (See 1907, 475; 1908, 209; 1909, 394, 422; 1910, 153, 236; 1911, 474, 722; 1912, 112, 127.) Provision for reforestation. St. 1908, 478.

As to metropolitan parks, see St. 1893, 407; 1894, 288; 1895, 450; 1896, 465; 1898, 473, 531; 1899, 400, 406, 419; 1900, 413, 475; 1901, 83, 146, 380; 1902, 77, 166, 172; 1903, 158, 290, 429, 465; 1904, 170, 236, 237, 431; 1905, 366, 456, 457; 1906, 336, 353 § 4, 368, 375, 402; 1907, 404, 433, 449; 1908, 158, 301, 324, 445, 476, 651; 1909, 145, 362, 453, 524; 1910, 582, 585, 628; 1911, 463, 498, 541; 1912, 528, 683, 704, 715; 1913, 417, 525, 545, 685, 789.

SECT. 1 amended. St. 1902, 544 § 7.

SECTS. 2, 3. See St. 1903, 158, 331; 1905, 205.

SECTS. 6, 8, 10. See St. 1913, 210.

SECT. 8. See St. 1905, 266.

SECT. 10 amended. St. 1908, 341 § 3.

SECT. 17. See St. 1908, 590 § 51.

SECT. 19 revised. St. 1910, 508 § 1. (See 1912, 223.)

SECTS. 19–22. See St. 1908, 513; 1913, 719 § 3.

SECT. 20 amended. St. 1910, 508 § 2. (See 1912, 223.)

SECT. 23 amended. St. 1913, 564 § 1.

SECTS. 25–27 revised. St. 1913, 564 §§ 2–4. (See St. 1902, 57, 495; 1904, 409; 1905, 381; 1906, 268; 1907, 473; 1909, 263, 452; 1911, 242.)

SECT. 28 amended. St. 1913, 564 § 5.

Chapter 29. — Of the Returns and Registry of Births, Marriages and Deaths.

Provision for printing and preserving certain town records. St. 1902, 470.

SECT. 1 amended. St. 1910, 322 § 1.

SECT. 3 superseded. St. 1912, 280. (See 1910, 93 § 1.)

SECT. 5 amended. St. 1910, 93 § 2.

SECT. 6. See St. 1905, 330 § 1.

SECT. 10 amended. St. 1910, 322 § 2.

SECT. 13 amended. St. 1910, 93 § 3. (See 1910, 249; 1911, 269, 310.)

SECT. 17 amended. St. 1912, 470.

SECT. 18 amended. St. 1903, 305; 1906, 415.

SECT. 22 amended. St. 1902, 544 § 8.

Chapter 30. — Of Workhouses and Almshouses.

SECT. 1. See St. 1903, 400; 1905, 458; 1909, 504 § 107. Offenders not to be confined or associate with paupers. St. 1904, 274; 1905, 348. (See 1905, 344.)

Chapter 31. — Of Watch and Ward.

SECT. 2. See St. 1910, 436.

Chapter 32. — Of the State Fire Marshal, Fires, Fire Departments and Fire Districts.

Offices of state fire marshal, deputy and subordinates abolished and department transferred to district police. St. 1902, 142; 1903, 365. (See 1904, 370, 433; 1905, 247, 280, 461; 1908, 502; 1909, 432; 1910, 179, 223; 1911, 477; 1913, 452, 807.) Act relative to promotion of call men. St. 1913, 487.

Act relative to debts of fire districts. St. 1913, 719 § 3.

To the issuing of notes by fire, water, watch, light and improvement districts. St. 1913, 727.

Liberating or flying fire balloons prohibited. St. 1910, 141.

Provision for a state fire warden. St. 1911, 722.

SECTS. 1–8. See St. 1910, 328.

SECT. 15 *et seq.* Name changed to forest wardens. St. 1907, 475 § 5. (See 1911, 244, 722; 1912, 625.) Provision for protection of forest or sprout lands from fire. St. 1907, 475; 1908, 209; 1909, 394; 1911, 244, 722; 1912, 127, 419. Provision for repayment to certain towns of part of cost of preventing or extinguishing forest fires. St. 1910, 398.

SECT. 16 amended. St. 1907, 475 § 1; 1913, 600 § 1.

SECTS. 17, 18, 22 repealed. St. 1907, 475 § 10.

SECT. 20 amended. St. 1907, 475 § 3. (See 1907, 299.)

SECT. 24. See St. 1908, 209; 1911, 244.

SECT. 26 *et seq.* See St. 1904, 194, 315, 327; 1911, 352.

SECT. 37. Extended to hospital ambulances. St. 1904, 161. Firemen's parades authorized in certain cases. St. 1906, 139.

SECT. 38 *et seq.* See St. 1912, 546; 1913, 655 § 6.

SECT. 45. See St. 1908, 133.

SECT. 49 amended. St. 1906, 63.

SECT. 59 *et seq.* See St. 1908, 594; 1909, 136, 148; 1910, 137, 379.

SECT. 67 revised. St. 1908, 98.

SECTS. 71, 72. Amount increased. St. 1902, 108; 1906, 171.

SECT. 73 revised. St. 1903, 253; 1911, 90.

SECT. 77. See St. 1910, 261.

SECT. 81 amended. St. 1906, 476. (See 1904, 327; 1907, 186; 1912, 574.)

Chapter 33. — Of Pounds and Field Drivers.

SECT. 35. See St. 1906, 185; 1907, 363; 1908, 133; 1909, 302; 1913, 281.

Chapter 34. — Of the Manufacture and Distribution of Gas and Electricity by Cities and Towns.

SECT. 1 in part repealed. St. 1906, 463 III § 158. (See 1902, 449; 1906, 218, 463 III § 59 *et seq.*)

SECT. 7 revised. St. 1908, 341 § 4.

SECT. 10 amended. St. 1903, 255 § 1.
SECT. 11 revised. St. 1905, 410 § 1. (See 1905, 410 § 7; 1906, 422.)
SECT. 12 revised. St. 1905, 410 § 2.
SECT. 18 repealed and superseded. St. 1909, 173.
SECT. 20 revised. St. 1905, 410 § 3.
SECT. 21 revised. St. 1905, 410 § 4; 1906, 411; 1908, 486.
SECT. 27 revised. St. 1905, 410 § 5.
SECT. 29 revised. St. 1905, 410 § 6.
SECT. 32 (new) added. St. 1905, 410 § 7.

Chapter 35. — Of the Public Records.

Certain public records in Norfolk to be transferred to Essex. St. 1902, 311 § 1.
Accounts kept in regular course of business made admissible in evidence. St. 1913, 288.
SECT. 2 amended. St. 1913, 485 § 1.
SECT. 3 amended. St. 1913, 485 § 2. (See 1902, 470 § 1.)
SECT. 5. See St. 1903, 177.
SECT. 5 *et seq.* Act providing for attesting and certifying public records in certain cases. St. 1907, 225.
SECT. 9 amended. St. 1908, 57.
SECTS. 12, 14. As to custody of certain records, see St. 1902, 311 §§ 2, 3.
SECT. 15 amended. St. 1913, 355.
SECT. 16 amended. St. 1913, 485 § 3.
SECT. 17 limited. St. 1903, 177; 1905, 330 § 3.
SECT. 23 amended. St. 1903, 177 § 1.

Chapter 36. — Of Parishes and Religious Societies.

SECT. 27 amended. St. 1905, 167.
SECT. 52 amended. St. 1911, 261.

Chapter 38. — Of Libraries.

SECT. 2. Treasurers to give bonds. St. 1912, 241; 1913, 180.
SECTS. 2–5. See St. 1904, 209.
SECT. 4. See St. 1903, 442; 1906, 428, 527; 1907, 278, 279, 280, 281.
SECTS. 6–8. See St. 1911, 140; 1913, 93.
SECT. 11 affected. St. 1910, 396 § 1.
SECT. 11 *et seq.* See St. 1902, 470 § 1; 1913, 668.
SECT. 12 amended. St. 1910, 396 § 2.
SECT. 15. Provision for annual expenditure. St. 1906, 183; 1913, 316.

Chapter 39. — Of the Board of Education.

Acts to consolidate the board of education and the commission on industrial education. St. 1909, 457; 1910, 282; 1911, 466; 1912, 80.
Acts relative to vocational education. St. 1906, 505; 1908, 572, 639; 1909, 457, 472, 489, 540; 1911, 471, 605; 1912, 106; 1913, 295, 384.

Acts relative to the employment of school teachers through the board of education. St. 1906, 399; 1907, 213; 1911, 375, 731 § 1; 1913, 205. (See 1908, 427.)

Board may provide transportation for children in certain cases. St. 1903, 483. Form or adjust unions of towns for employment of superintendents. St. 1903, 299; 1904, 215; 1911, 384, 444.

Sect. 2 amended. St. 1904, 234 § 1.

Sects. 3–9 superseded. St. 1909, 457; 1910, 282; 1911, 466; 1912, 80; 1913, 421. (See 1903, 456; 1904, 173, 234; 1906, 502 § 6; 1908, 189.)

Sect. 6 amended. St. 1909, 457 § 4.

Sect. 9. See St. 1906, 200; 1908, 427; 1911, 375.

Sect. 10 amended. St. 1912, 79. (See 1908, 597.)

Sect. 11. See St. 1908, 257.

Sects. 12–16 repealed. St. 1904, 234 § 3. (See 1903, 456; 1906, 502 § 6; 1907, 457; 1908, 189; 1910, 282; 1911, 466; 1912, 80.)

Sect. 15. See St. 1906, 399 § 2.

Sect. 17. See St. 1912, 481.

Sects. 19–21. See St. 1906, 385; 1907, 173.

Sect. 20. See St. 1905, 211 § 1.

Chapter 40. — Of Teachers' Institutes and Associations.

Teachers' retirement associations. St. 1913, 832.

Sects. 2, 6 in part repealed. St. 1903, 456 § 4.

Sect. 4 amended. St. 1904, 383; 1905, 260 § 1.

Sect. 5 repealed. St. 1905, 260 § 2.

Chapter 41. — Of the School Funds.

As to technical education fund, see St. 1904, 174.

Sects. 4, 5 repealed and new provisions made for distribution of income of the school fund. St. 1903, 456; 1904, 107. (See 1904, 189.)

Sect. 6 amended. St. 1913, 340.

Chapter 42. — Of the Public Schools.

Cities and towns may provide free meals for school children. St. 1913, 575.

Provision for appointment of school physicians. St. 1906, 502; 1908, 189, 412; 1910, 257 §§ 1, 2. (See 1911, 269.) For continuation schools for working children. St. 1913, 805.

Acts relative to the employment of school teachers through the board of education. St. 1906, 399; 1907, 213; 1911, 375, 731 § 1; 1913, 205, 368. (See 1904, 173; 1908, 427.)

Provisions for schools in Boston. St. 1895, 408; 1897, 202, 442; 1898, 400; 1899, 362; 1900, 235, 237; 1901, 448, 473; 1902, 386; 1903, 170; 1904, 212, 376; 1905, 349, 392; 1906, 205, 231, 259, 318, 489 § 8; 1907, 295, 357, 450; 1908, 524, 589; 1909, 120, 223, 388, 446, 537; 1910, 617; 1911, 708; 1912, 195, 569; 1913, 337, 389, 615.

Acts relative to use of school halls for other than school purposes. St. 1911, 367; 1912, 157, 320.

Provision for schools for the blind. St. 1906, 385 §§ 4–6. For industrial and vocational education. St. 1906, 505; 1908, 572, 639; 1909, 457, 472, 489, 540; 1911, 471, 605; 1912, 106; 1913, 295, 384. (See 1904, 248; 1905, 211; 1910, 567; 1912, 445; 1913, 805.) For a state school for the feeble-minded. St. 1909, 504 §§ 59–65. (See 1906, 508; 1907, 421; 1908, 629.)

SECT. 1 amended. St. 1908, 181; 1910, 524; 1911, 247. (See 1912, 368 § 3.)

SECT. 2. See St. 1908, 427; 1911, 375, 537.

SECT. 3 amended. St. 1902, 433; 1906, 200; 1911, 537; 1913, 396. (See 1908, 427; 1913, 779 § 1.)

SECT. 8. See St. 1903, 299; 1911, 384, 444.

SECT. 10 repealed. St. 1906, 505 § 8.

SECTS. 11–13. See St. 1909, 514 § 7; 1911, 241, 309; 1913, 467.

SECT. 14. See St. 1904, 172.

SECT. 20. See St. 1905, 328; 1908, 354.

SECTS. 25–39. School committees authorized to exhibit school work in certain cases. St. 1904, 172. No member of school committee shall be eligible to position of teacher, master or superintendent of public schools of the town or district. St. 1904, 173. Pensions for teachers. St. 1908, 498; 1913, 832. Teachers not to be restricted in exercise of certain political rights. St. 1913, 628.

SECTS. 27, 34. Acts relative to authority of school committees. St. 1906, 251, 399; 1911, 309, 314, 367; 1912, 320; 1913, 391, 832 § 9.

SECT. 28. See St. 1906, 399; 1908, 498; 1911, 731.

SECT. 30 repealed. St. 1903, 456 § 4. (See 1904, 107.)

SECT. 34 amended. St. 1910, 201.

SECT. 39. See St. 1904, 107 § 2.

SECTS. 40, 41, 44 affected. St. 1911, 444.

SECT. 43 amended. St. 1911, 399; 1912, 114. (See 1906, 505 § 4.)

SECTS. 43–48. Board of education may form or adjust unions of towns. St. 1903, 299; 1904, 215; 1911, 384, 444. (See 1911, 375, 731.)

SECT. 44 amended. St. 1911, 384.

SECT. 50 revised. St. 1911, 232. (See 1909, 229; Res. 1911, 5.)

Chapter 43. — Of School Registers and Returns.

SECTS. 1, 2 amended. St. 1912, 368 §§ 1, 2.

SECT. 3. See St. 1910, 249; 1911, 269, 310.

SECT. 4 amended. St. 1912, 368 § 3; 1913, 356.

SECTS. 5–9 amended. St. 1912, 368 §§ 4–8.

SECT. 11 amended. St. 1912, 368 § 9. (See 1905, 320; 1906, 383.)

Chapter 44. — Of School Attendance.

SECTS. 1–4 revised. St. 1913, 779 §§ 1–4. (See 1903, 483; 1905, 320, 375; 1906, 383, 413, 489; 1909, 514 § 17; 1910, 249; 1911, 241, 268, 269, 309, 310; 1912, 191, 368 § 9; 1913, 467, 831 §§ 19, 24–26.)

SECT. 5. See 1913, 779 § 4.

SECT. 6 amended. St. 1906, 371; 1907, 215.

Chapter 45. — Of the Nautical Training School.

Title changed. St. 1913, 224.

SECT. 5 amended. St. 1903, 171. (See 1908, 195, 469; 1913, 295.)

Chapter 46. — Of Truants and Truant Schools.

Act to provide for the commitment of habitual truants, habitual absentees and habitual school offenders. St. 1906, 389. (See 1906, 413, 489, 499 § 3; 1907, 137, 195, 411; 1908, 286; 1909, 514 §§ 57, 62–65; 1911, 202; 1913, 457, 467, 779 § 13.)

Acts relative to wayward and delinquent children. St. 1906, 413, 489, 499; 1907, 411; 1908, 637. (See 1910, 332; 1911, 595; 1912, 187; 1913, 457, 796, 831 § 25.)

SECT. 1 amended. St. 1902, 256; 1913, 779 § 5. (See 1906, 148; 1908, 103.)

SECTS. 3–6 revised. St. 1913, 779 §§ 6–9. (See 1903, 330 §§ 1–3; 1904, 220 §§ 1–3; 1906, 389, 413, 489; 1908, 286; 1912, 368 § 9; 1913, 831 §§ 19, 24–26.)

SECT. 8 revised. St. 1913, 779 § 10. (See 1904, 220 § 4.)

SECT. 9 amended. St. 1903, 308 § 1.

SECT. 10 revised. St. 1913, 779 § 11. (See 1903, 330 § 4.)

SECT. 11. See 1903, 334 §§ 1–3; 1906, 389, 413, 489, 499 § 5, 501; 1907, 137, 158, 195.

SECT. 12 amended. St. 1912, 552, 711.

SECT. 13 revised. St. 1913, 779 § 12. (See St. 1904, 356; 1906, 499; 1911, 175; 1912, 372.)

Chapter 47. — Of State Highways.

Provision for maintenance of state highways. St. 1913, 774.

As to the Massachusetts highway commission, see St. 1903, 473; 1904, 108, 117; 1905, 311; 1906, 412, 433; 1907, 446, 580; 1908, 279, 296 § 4, 642, 648; 1909, 134, 454, 464, 534 §§ 17, 18, 20, 24–27, 31; 1910, 487, 488, 498, 511, 514, 591, 646; 1911, 38, 184, 557, 578, 677, 678, 746; 1912, 591 § 5, 646, 647, 677, 697, 699, 703, 704, 715 § 8, 716, 717; 1913, 116, 530, 639, 663, 774, 803.

Acts relative to shade trees on state highways. St. 1905, 279; 1908, 296, 297.

Act to regulate the use of air craft. St. 1913, 663.

Provision for expenses. St. 1902, 246; 1903, 280; 1904, 244; 1908, 642.

SECTS. 1, 2. Acts relative to motor vehicles and to the operation thereof. St. 1909, 534; 1910, 525, 605; 1911, 37; 1912, 123, 400; 1913, 95, 116, 803. (See 1902, 315; 1903, 473; 1905, 311, 366; 1906, 353, 412; 1907, 203, 408, 494, 580; 1908, 263, 467, 642, 648; 1910, 516.)

SECT. 3. See St. 1906, 433 § 4; 1910, 514.

SECT. 5 amended. St. 1909, 464 § 1.

SECT. 6 amended. St. 1904, 108 § 1; 1909, 464 § 2. (See 1904, 117, 317, 443.)

SECT. 7. See St. 1910, 498.
SECTS. 9, 13. See St. 1905, 266.
SECT. 10. Towns and cities may contribute toward expense of construction. St. 1904, 125. (See 1907, 196.)
SECT. 11. See St. 1905, 279; 1910, 498.
SECT. 12. See St. 1912, 697; 1913, 778 § 11.
SECT. 16 revised. St. 1913, 773. (See St. 1903, 280 § 2; 1904, 244; 1908, 642 § 1; 1909, 454, 534 § 30; 1910, 525, 605.)
SECT. 17 revised. St. 1908, 279.
SECT. 21. See St. 1905, 279; 1906, 463 III § 72; 1909, 134.

Chapter 48. — Of the Laying Out and Discontinuance of Ways and of Damages caused by the Taking of Land for Public Uses.

Provision for appeal in case of alteration of name of a public way, place or section or of any public park, where the name has been in use for twenty-five years. St. 1909, 134.
Act to give to cities jurisdiction over highways and bridges. St. 1913, 546.
Act relative to common landing places. St. 1908, 606.
Provision for laying out, etc., of ways in towns by a board of survey. St. 1907, 191. And for maintenance by neighboring cities or towns. St. 1907, 196. As to maintenance of certain bridges, see St. 1908, 552. Maintenance of state highways. St. 1913, 774.
Acts relative to damages for the taking of property by right of eminent domain. St. 1904, 317; 1905, 390; 1913, 401. (See 1902, 521 § 1; 1913, 68, 148, 525.)
SECT. 1 amended. St. 1912, 554 § 1.
SECTS. 1–5. See St. 1907, 191.
SECT. 3 amended. St. 1912, 554 § 2.
SECTS. 4–7 amended. St. 1912, 554 §§ 3–6.
SECT. 8 revised. St. 1912, 554 § 7.
SECT. 11 amended. St. 1912, 554 § 8.
SECT. 12 amended. St. 1912, 554 § 9. (See St. 1907, 191 § 4.)
SECTS. 13–16. See St. 1904, 317, 443; 1905, 390.
SECTS. 17–25, 26. See St. 1906, 463 II § 95 *et seq.;* 1911, 741 § 21; 1913, 777 § 34.
SECTS. 20, 26, 27. See St. 1905, 266.
SECT. 33. See St. 1909, 504 § 37.
SECT. 52 amended. St. 1903, 243. (See 1904, 125; 1907, 196.)
SECTS. 54, 55 amended. St. 1908, 431 §§ 4, 5.
SECT. 56 amended. St. 1912, 554 § 10.
SECT. 68 *et seq.* See St. 1904, 317.
SECT. 85. See St. 1906, 463 III § 50.
SECT. 88. Ways in Suffolk. St. 1888, 397; 1891, 323; 1892, 401, 415 § 3, 418; 1895, 494; 1896, 237; 1897, 166, 167, 319, 394; 1898, 210, 252, 298, 566; 1899, 433, 443, 450; 1900, 478; 1901, 199, 465; 1902, 521; 1906, 214, 258, 393; 1912, 240, 661; 1913, 536, 554. (See 1898, 540 § 2; 1903, 331 § 2; 1905, 205 § 1; 1908, 447; 1913, 148, 432, 680.)
An act relative to Boston bridges. St. 1902, 224. (See 1904, 412.)

Sect. 90. See St. 1906, 463 II §§ 2, 7.
Sect. 97. See St. 1904, 117.
Sect. 102. See St. 1911, 142.
Sect. 103 amended. St. 1913, 572.
Sect. 104 amended. St. 1912, 24.
Sect. 105 amended. St. 1910, 511 § 1.
Sect. 106 amended. St. 1910, 511 § 2.
Sect. 107 *et seq.* See St. 1904, 317; 1908, 499; 1909, 243; 1911, 135.
Sect. 114. See St. 1911, 741 § 21; 1913, 777 § 34.

Chapter 49. — Of Sewers, Drains and Sidewalks.

Act to provide for treatment or purification of sewage. St. 1909, 433.

As to metropolitan water and sewerage system, see St. 1889, 439; 1895, 342, 406; 1897, 80, 81, 83, 88, 502; 1901, 168; 1902, 101, 189; 1903, 161, 242; 1905, 457; 1906, 235, 337, 338, 369, 404, 406, 457, 530; 1907, 165, 238, 349, 524; 1908, 556, 558; 1909, 177, 243, 258, 282, 320, 453, 473; 1910, 32, 291, 292; 1911, 5, 541; 1912, 528, 694.

As to Boston, see St. 1891, 323; 1892, 402; 1894, 227, 256; 1895, 297, 494; 1896, 237, 359; 1897, 426; 1898, 257; 1899, 450; 1900, 126, 478; 1901, 199; 1902, 521, 526; 1903, 268; 1906, 393; 1912, 371; 1913, 536, 554.

Provision for separate systems of drainage. St. 1903, 383. (See 1907, 464; 1912, 635 §§ 6, 37.)

Sect. 1. See St. 1907, 191 § 4.
Sect. 2. See St. 1904, 317, 443; 1905, 266, 390.
Sect. 15 amended. St. 1907, 177; 1908, 356; 1910, 330.
Sect. 16 amended. St. 1908, 453.
Sect. 24 amended. St. 1907, 365.
Sect. 30. See St. 1903, 383 § 1.
Sects. 43–45. Provision for apportionment of sidewalk assessments. St. 1908, 216.

Chapter 50. — Of Betterments and Other Assessments on Account of the Cost of Public Improvements.

Provision for authoritative ascertainment of municipal liens on real estate. St. 1907, 378; 1908, 299; 1909, 490 II § 20. (See 1911, 75.)

As to assessments in Boston, see St. 1902, 521 § 1, 527; 1903, 235; 1906, 393; 1912, 371; 1913, 536.

Sect. 1. See St. 1904, 443 § 23; 1906, 463 III §§ 67–69; 1913, 546.
Sect. 3. See St. 1904, 317.
Sect. 5. See St. 1911, 75.
Sect. 11 revised. St. 1902, 503.
Sects. 15, 16. Provision for apportionment of sidewalk assessments. St. 1908, 216.

Chapter 51. — Of the Repair of Ways and Bridges.

Act relative to the maintenance of highways by neighboring cities or towns. St. 1907, 196. (See 1910, 525.) Relative to repair and maintenance of certain bridges. St. 1908, 552. (See 1911, 581, 587.)

Provision for paving private passageways in certain cities. St. 1894, 119; 1907, 256.

SECT. 1. See St. 1909, 289.

SECT. 17. See St. 1913, 290.

SECTS. 20–22 affected. St. 1908, 305; 1913, 324.

SECT. 21 amended. St. 1910, 166 § 1; 1912, 221.

Chapter 52. — Of Regulations and By-Laws relative to Ways and Bridges.

Licenses for street stands in Boston. St. 1907, 584; 1909, 329. Garages. St. 1913, 577.

Provisions for regulating use and operation of automobiles and motor vehicles. St. 1902, 315; 1909, 534; 1910, 525, 605; 1911, 37; 1912, 123, 400; 1913, 95, 116, 123, 530, 803. (See 1903, 473; 1905, 311, 366; 1906, 353, 412; 1907, 203, 408, 494, 580; 1908, 263, 642, 648; 1910, 516; 1913, 592.)

Certain vehicles to carry lights at night. St. 1911, 578.

SECT. 1. See St. 1906, 234.

SECT. 5. See St. 1902, 205.

SECT. 6. See St. 1912, 372.

SECTS. 7, 8. Rights of way in streets. St. 1904, 161; 1905, 465 § 149; 1906, 139; 1908, 604 § 166. (See 1912, 147.)

SECT 18 *et seq.* See St. 1913, 161.

SECT. 31. See St. 1913, 803 § 5.

Chapter 53. — Of the Boundaries of Highways and Other Public Places and Encroachments thereon.

SECTS. 6–11 repealed. St. 1910, 363 § 2. (See 1908, 296.)

SECT. 12 amended. St. 1908, 296 § 2; 1910, 321, 363. (See 1902, 57; 1904, 409; 1905, 279, 381; 1906, 268; 1907, 475; 1908, 297.)

SECT. 13 amended. St. 1908, 296 § 3; 1910, 363.

SECT. 14 repealed. St. 1907, 475 § 10. (See 1908, 209; 1909, 394; 1910, 398; 1911, 244.)

SECT. 16. See Res. 1911, 5.

Chapter 54. — Of the Law of the Road.

Acts relative to the law of the road. St. 1908, 512; 1913, 223, 432.

Vehicles to carry a light at night. St. 1911, 578.

Acts regulating use and operation of motor vehicles. St. 1909, 534; 1910, 525, 605; 1911, 37; 1912, 123, 400; 1913, 95, 116, 123, 530, 803. (See 1902, 315; 1903, 473 §§ 3–11; 1905, 311, 366; 1906, 353, 412, 433; 1907, 203, 408, 494, 580; 1908, 263, 467, 642, 648; 1910, 516; 1911, 477, 578.)

Act to regulate the use of air craft. St. 1913, 663.

Rights of way. St. 1904, 161; 1905, 465 § 149; 1906, 139; 1908, 604 § 166. (See 1912, 147.)

SECTS. 1, 2 affected. St. 1913, 223.

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Chapter 55. — Of Ferries and Canals.

Power boats must display lights at night in certain waters. St. 1910, 397.

Chapter 56. — Of the Regulation of Trade and the Inspection and Sale of Food.

Act to make uniform the law relating to the sale of goods. St. 1908, 237. (See 1910, 214.)

Act relative to the sale of shingles. St. 1913, 574.

Act relative to sale of firearms. St. 1911, 495.

Acts relative to manufacture, transportation and sale of, and to prevent monopolies and discriminations in articles in common use. St. 1908, 454; 1911, 503; 1912, 651. (See 1913, 709.) Cold storage eggs. St. 1913, 538. Sale and use of eggs unfit for food. St. 1913, 654.

Acts to regulate cold storage of food products. St. 1910, 640; 1912, 652.

Provision for inspection of milk. St. 1909, 405, 443; 1910, 114, 457, 633 § 3. (See 1910, 641; 1911, 278; 1913, 761.) Of petroleum. St. 1911, 204. Act relative to manufacture and sale of ice cream. St. 1913, 743.

Act to regulate lease and sale of machinery, tools, implements and appliances. St. 1907, 469. To regulate sale of unwholesome food. St. 1913, 687.

Proprietary drugs and foods. St. 1906, 386; 1907, 259; 1908, 307; 1910, 387; 1911, 289, 341, 372; 1912, 283.

Acts relative to wood alcohol. St. 1905, 220; 1910, 541.

Labeling evaporated, concentrated or condensed milk. St. 1911, 610; 1912, 474.

Misrepresentations as to merchandise for sale are made punishable. St. 1902, 397; 1907, 383; 1912, 489. (See 1903, 415.)

SECTS. 3, 4 repealed. Office of inspector general of fish abolished, and powers and duties transferred to commissioners on fisheries and game. St. 1902, 138.

SECT. 5 repealed. St. 1903, 196 § 1.

SECT. 42 extended. St. 1910, 394; 1913, 743.

SECTS. 42, 52. See St. 1908, 531 § 5; 1909, 405; 1910, 495; 1911, 218, 266.

SECT. 48 amended. St. 1903, 361.

SECT. 51 amended. St. 1909, 405 §§ 1, 4; 1910, 114.

SECTS. 51, 52. See St. 1910, 394, 457, 633 § 3.

SECT. 52 amended. St. 1909, 405 §§ 2, 4.

SECTS. 53, 54 are revised. St. 1909, 443. (See 1909, 405 § 3; 1910, 633.)

SECT. 55 *et seq.* See St. 1906, 116 §§ 1, 2, 323; 1908, 570; 1909, 531; 1910, 462.

Act to authorize incorporation of medical milk commissions. St. 1911, 506.

SECT. 56 revised. St. 1908, 643.

SECT. 56 *et seq.* Standard established for cream. St. 1907, 216. Ice cream. St. 1913, 743 § 1.

SECT. 57 amended. St. 1910, 641 § 2.

SECT. 59. See St. 1906, 116 § 3, 323; 1908, 435.
SECTS. 61–64. See St. 1910, 394.
SECT. 62 amended. St. 1910, 641 § 1.
SECT. 65. See St. 1911, 610.
SECTS. 65–69 superseded. St. 1912, 218.
SECT. 65 *et seq.* Name of station changed. St. 1907, 66.
SECTS. 67, 68 amended. St. 1909, 425.
SECT. 70 affected. St. 1907, 243. Amended. St. 1908, 411 § 1; 1912, 448. (See 1903, 220; 1908, 329; 1909, 471, 474; 1910, 590; 1911, 297, 534.)
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Chapter 57. — Of the Inspection and Sale of Various Articles.

Act relative to sale of firearms. St. 1911, 495. Of shingles. St. 1913, 574.
Acts relative to paint, turpentine and linseed oil. St. 1908, 531; 1911, 218, 266. Sale of peas and beans for planting. St. 1913, 713.
Provision for penalty for giving false weight or measure. St. 1907, 394; 1911, 163.
Inspection of petroleum. St. 1911, 204.
Baking powders to be labeled with names of ingredients. St. 1902, 540.
Acts relative to monopolies and to manufacture, sale, etc., of articles in common use. St. 1908, 454; 1911, 503; 1912, 651. (See 1913, 709.)
SECT. 4 amended. St. 1909, 191.
SECT. 6 revised. St. 1908, 197.
SECTS. 11–17 revised. St. 1911, 388. (See 1907, 289.)
SECT. 11 *et seq.* Regulations for sale of feed stuffs. St. 1912, 527. (See 1903, 122 §§ 1–10; 1904, 332.) Of commercial fertilizers. St. 1911, 388. Regulation of sale of unwholesome food. St. 1913, 687.
SECT. 12. Name of station changed. St. 1907, 66.
SECT. 18. See St. 1907, 289; 1911, 388 §§ 7, 12.
SECT. 20 repealed. St. 1903, 122 § 11.
SECT. 21 revised. St. 1912, 246; 1913, 713.
SECT. 22 amended. St. 1909, 350.
SECT. 24 revised. St. 1903, 408 §§ 1–3; 1905, 209; 1911, 380.
SECTS. 31, 39, 46, 60, 63, 91. See St. 1907, 394; 1911, 163.
SECT. 39 amended. St. 1902, 459.
SECT. 66 revised. St. 1911, 600 § 1.
SECT. 67 revised. St. 1911, 600 § 2.
SECT. 69 repealed. St. 1911, 600 § 5.
SECT. 83. A woman or a non-resident may be appointed a weigher of coal. St. 1902, 159, 453 § 1.
SECT. 84 revised. St. 1907, 228 § 1.
SECT. 84 *et seq.* License for dealer in coal or coke. St. 1903, 484; 1906, 434.

SECT. 85 repealed. St. 1907, 228 § 2.
SECT. 86 revised. St. 1908, 205 § 1.
SECT. 87 amended. St. 1908, 205 § 2; 1909, 424 § 1.
SECT. 88 amended. St. 1902, 453 § 2; 1908, 304; 1910, 219 § 1.
SECT. 89 amended. St. 1902, 453 § 3; 1910, 219 § 2.
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Chapter 58. — Of the Inspection of Gas and Gas Meters.

SECT. 1. Powers and duties of inspector transferred to board of gas and electric light commissioners. St. 1902, 228 § 1. (See 1906, 422.) Inspectors' salaries. St. 1908, 536 § 2. (See 1902, 228 § 6; 1907, 54 § 2; 1908, 529; 1909, 316, 477, 483.)
SECTS. 1–7. Repeal and substitute. St. 1902, 228; 1907, 54; 1908, 536; 1909, 483; 1913, 317. (See 1908, 195, 469; 1909, 318.)
SECT. 9 superseded. St. 1909, 483 § 1.
SECT. 13 superseded. St. 1909, 483 § 2.
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Chapter 59. — Of the Measuring of Upper Leather.

This chapter is repealed and superseded by St. 1913, 502. (See 1913, 503.)

Chapter 60. — Of the Survey and Sale of Lumber, Ornamental Wood and Ship Timber.

SECT. 1. See St. 1908, 195, 469.
SECT. 4 amended. St. 1902, 477 § 1.
SECT. 7 amended. St. 1902, 477 § 2.
SECTS. 9–11 repealed. St. 1902, 477 § 3.

Chapter 62. — Of Weights and Measures.

The provisions of this chapter are extended to scales, balances, etc., having a device to indicate price as well as weight. St. 1907, 535. And to certain devices for adjusting, testing, etc., used for hire or reward. St. 1909, 412 § 1. Mechanical devices for measuring leather. St. 1913, 503. (See 1913, 502.)

Acts relative to the penalty for giving false weight or measure. St. 1907, 394; 1911, 163. (See 1909, 350.) Act to establish tolerances in sale of commodities by weight. St. 1913, 801.

Provision for the testing and sealing of taximeters. St. 1909, 541.
SECTS. 2, 3. See St. 1903, 408 § 1.
SECT. 3 amended. St. 1902, 115; 1911, 397.
SECT. 4 amended. St. 1910, 297; 1912, 284; 1913, 176.
SECTS. 8–11 in part superseded and a State commission established. St. 1907, 534; 1910, 465; 1911, 632; 1912, 256. (See 1902, 457; 1909, 424 § 2, 541 §§ 2, 3.)

SECTS. 12–20. County treasurers not to have custody of standard weights, etc., or to act as sealers. St. 1909, 310.
SECT. 17 amended. St. 1902, 539. (See 1913, 503.)
SECT. 18. Civil service rules to apply to certain appointments. St. 1909, 382.
SECT. 20 revised. St. 1907, 283, 534 § 3. (See 1909, 310.)
SECT. 21. See St. 1906, 323; 1909, 531; 1910, 462.
SECT. 21 *et seq.* See St. 1903, 408 § 2; 1905, 209; 1909, 412 § 2, 424 § 2, 541; 1911, 380 § 2.
SECT. 22 revised. St. 1910, 209 § 1.
SECT. 29 *et seq.* Sealers to report to state commissioner. St. 1907, 534 § 5.
SECT. 32 revised. St. 1910, 209 § 2.
SECT. 33 revised. St. 1906, 215. (See 1907, 394; 1911, 163.)
SECTS. 34, 35. See St. 1913, 503 § 3.
SECT. 39 amended. St. 1913, 164, 801.
SECT. 43 amended. St. 1909, 531. See acts relative to sealing bottles or jars for milk, etc. St. 1906, 323; 1909, 531; 1910, 462.

Chapter 63. — Of the Metric System of Weights and Measures.

SECTS. 3, 4, in part, superseded. St. 1907, 534 §§ 3, 4. (See 1907, 535.)

Chapter 64. — Of Auctioneers.

SECT. 6 *et seq.* Auction sales of horses in Boston restricted. St. 1904, 336; 1905, 426. And of certain lame or diseased horses. St. 1906, 185 §§ 1, 3. (See 1907, 363; 1908, 133.)
SECT. 15. See St. 1908, 237 § 13 (4).

Chapter 65. — Of Itinerant Vendors, Hawkers and Pedlers.

SECT. 3. Provision for revocation of license. St. 1908, 208.
SECT. 9 amended. St. 1902, 544 § 9.
SECT. 15 revised. St. 1906, 345. (See 1905, 377.)
SECT. 17 amended. St. 1902, 531; 1906, 151; 1910, 419.
SECT. 19 revised. St. 1907, 571 § 1; 1912, 192. (See 1905, 204.)
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Chapter 66. — Of Shipping and Seamen, Harbors and Harbor Masters.

Act to authorize arrest without warrant of persons committing misdemeanors in rivers, harbors, etc. St. 1912, 372.
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Acts relative to improvement of tide waters, etc. St. 1909, 481; 1912, 642. (See 1912, 46.)

Development of port of Boston. St. 1911, 748; 1912, 46, 181, 663; 1913, 635.

Mufflers on motor boats. St. 1909, 245.

Power boats must show lights at night in certain waters. St. 1910, 397.

SECTS. 2, 3 repealed. St. 1910, 526.

Harbor and land commissioners' tide water fund established. St. 1912, 257.

SECT. 17. See St. 1907, 229; 1910, 255.

SECT. 19 amended. St. 1909, 270 § 1. As to Boston, see St. 1908, 579; 1909, 270 § 2.

Chapter 67. — Of Pilots and Pilotage.

SECT. 17. See St. 1907, 490.

Chapter 68. — Of Agents, Consignees and Factors.

Uniform bills of lading act. St. 1910, 214.

SECT. 1. See St. 1912, 271.

SECTS. 2–4. Provision for dissolution of lien. St. 1907 490. (See 1909, 235; 1911, 150.)

SECTS. 4–6. See St. 1908, 237 §§ 23–30.

SECT. 6. See 1905, 324.

Chapter 69. — Of Public Warehouses.

Storage of liquors. St. 1911, 77, 88.

As to cold storage. See St. 1910, 640; 1912, 652; 1913, 538.

Acts relative to goods stored with public warehousemen. St. 1909, 227; 1912, 649; 1913, 228.

Act to make uniform the law of warehouse receipts. St. 1907, 582. (See 1909, 227.)

Provision for dissolution of lien. St. 1907, 490. (See 1907, 582 § 34.)

Charges for storage of baggage by railroad corporations. St. 1907, 287; 1908, 504.

SECT. 7. See St. 1911, 77.

Chapter 70. — Of Common Carriers and Express Companies.

Obligations and rights of carriers upon bills of lading. St. 1910, 214 §§ 11–27.

Act relative to trustee process against common carriers. St. 1905, 324.

Acts to grant to the board of railroad commissioners supervisory powers over express companies. St. 1906, 266; 1908, 599.

Acts relative to taking of deposits for transmitting to foreign countries, or other purposes. St. 1905, 428; 1906, 408; 1907, 377; 1908, 493; 1909, 287, 450; 1910, 338; 1911, 358; 1912, 335; 1913, 178, 179, 245.

SECTS. 3, 4. See St. 1907, 539 § 2; 1908, 316.

SECT. 6. See St. 1913, 290.

Chapter 71. — Of Limited Partnerships.

Acts relative to voluntary associations under written instruments. St. 1909, 441; 1913, 454.

SECT. 3. Names to be recorded in city or town clerk's office in certain cases. St. 1907, 539. (See 1908, 316.)

Chapter 72. — Of the Use of Labels, Trade-Marks and Names.

Provision as to labels on baking powders. St. 1902, 540. Drugs and patent foods. St. 1906, 386; 1907, 259; 1908, 307.

SECT. 5. Names to be recorded in certain cases. St. 1907, 539. (See 1908, 316.)

SECTS. 7, 8. Certain insignia, badges, etc., may be registered, and the unauthorized use thereof is prohibited. St. 1904, 335; 1907, 232 § 3; 1909, 514 §§ 31, 32. (See 1902, 430; 1903, 275; 1908, 280.)

SECT. 16 amended. St. 1909, 196.

Chapter 73. — Of Money and Negotiable Instruments.

Acts to regulate business of making small loans. St. 1911, 727; 1912, 675.

As to negotiation of bills of lading, see St. 1910, 214 §§ 24–43.

Act relative to liability of banks on negotiable instruments forged, altered, etc. St. 1912, 277.

SECT. 3. See St. 1911, 727 §§ 7, 18.

SECT. 7 amended. St. 1905, 454 § 1.

SECT. 8 amended. St. 1905, 454 § 2.

SECTS. 35, 40. See St. 1912, 277.

SECT. 72. See St. 1910, 378; 1912, 277.

SECTS. 88, 92, 102, 103. See St. 1907, 204; 1911, 136; 1912, 277.

SECT. 102 revised. St. 1910, 417.

SECT. 141. See 1912, 277.

SECT. 201 *et seq.* See 1912, 277.

SECT. 212. See St. 1908, 237 § 73; 1910, 171 § 18.

Chapter 74. — Of the Prevention of Frauds and Perjuries.

Act to make uniform the law relating to the sale of goods. St. 1908, 237. (See 1910, 214.)

SECT. 5 repealed. St. 1908, 237 § 78. (See 1908, 237 § 4; 1912, 271.)

Chapter 75. — Of the Preservation of the Public Health.

Acts for protection of health. St. 1902, 322, 541; 1903, 220, 475; 1904, 395; 1905, 251, 474; 1906, 116, 165, 250, 386, 502; 1907, 164, 180, 259, 285, 410, 480; 1908, 150, 307, 325, 329, 381, 411, 435, 539, 570; 1909, 319, 375, 391, 405, 433, 471, 474, 514 §§ 75, 78–89, 105, 106; 536; 1910, 257, 259, 269, 271, 387, 404, 428, 458, 543, 597, 640; 1911, 278, 341, 381, 576, 613;

1912, 59, 151, 637, 652, 653; 1913, 73, 210, 265, 272, 328, 472, 504, 538, 647, 654, 687, 743, 761. (See 1911, 596, 597; 1912, 637; Res. 117; 1913, 426, 494, 650, 663.)

Provision for reclamation of wet lands. St. 1913, 759.

Act to regulate practice of optometry. St. 1912, 700.

Act to authorize incorporation of milk commissions. St. 1911, 506.

Act to restrict the use of common drinking cups. St. 1910, 428. (See 1911, 491; 1912, 581.) And of common towels. St. 1912, 59.

Acts to provide for the establishment of health districts and the appointment of inspectors of health. St. 1907, 537; 1910, 405, 523; 1911, 282, 603, 709. (See 1907, 499; 1908, 325 § 3, 329, 487; 1909, 514 §§ 75, 78–89, 105, 106; 1910, 259, 394, 543; 1912, 726; 1913, 426.) For sanitary stations in cities and certain towns. St. 1911, 596.

Act to establish a board of labor and industries. St. 1912, 726.

Act relative to inspection of jails, prisons, etc. St. 1910, 405; 1911, 282.

Acts relative to regulation and supervision of water companies. St. 1909, 319; 1913, 660.

As to metropolitan water and sewerage system, see St. 1889, 439; 1895, 342, 406, 488; 1897, 80, 81, 83, 88, 502; 1899, 342; 1900, 108; 1901, 168, 498; 1902, 101, 189, 213, 391, 535; 1903, 161, 242, 356; 1904, 186, 230, 246, 273, 317, 426, 431; 1905, 457; 1906, 235, 337, 338, 369, 404, 406, 457, 530; 1907, 165, 238, 349, 524; 1908, 556, 558; 1909, 177, 243, 258, 282, 320, 453, 473; 1910, 32, 291, 292; 1911, 5, 541; 1912, 528, 694; 1913, 422, 525, 685.

Board of health to publish information in interest of public health. St. 1902, 230, 272; 1913, 622. Define what diseases are deemed dangerous. St. 1907, 183. (See 1913, 210, 328.)

Provision for appointment of school physicians. St. 1906, 502; 1908, 189, 412; 1910, 257.

Provisions for suppressing insect pests. St. 1902, 57; 1905, 381; 1906, 268; 1907, 521; 1908, 591; 1909, 263; 1910, 150; 1911, 242, 474; 1912, 363; 1913, 585. (See 1910, 427; 1912, 112, 625; 1913, 605.) For paving private passageways in certain cities. St. 1907, 256. For treatment or purification of sewage. St. 1909, 433.

Act to establish a standard for cream. St. 1907, 216. Ice cream. St. 1913, 743. To prohibit misuse of vessels used in sale of milk. St. 1906, 116; 1908, 435; 1913, 761. (See 1906, 323; 1908, 570; 1909, 425, 531; 1910, 462, 641; 1911, 610; 1912, 474.)

Cold storage. St. 1910, 640; 1912, 652; 1913, 538.

Provision for separate systems of drainage. St. 1903, 383.

Act to encourage and promote building and use of tuberculosis hospitals. St. 1911, 597; 1912, 637. (See 1912, 151.)

Provision for treatment of leprosy cases. St. 1905, 474; 1909, 250; 1913, 73.

Act relative to wood alcohol. St. 1905, 220; 1910, 541.

SECT. 3. Salary changed. St. 1906, 425; 1907, 364.

SECT. 4 amended. St. 1903, 480; 1912, 104. (See 1902, 272; 1905, 344; 1906, 386 § 6, 502 § 6; 1907, 183; 1908, 189, 329; 1909, 319, 346 § 3,

433 § 3; Res. 1909, 72; St. 1910, 405, 458, 495, 569; 1911, 218, 266, 282, 381; 1912, 635 § 7; 1913, 654 § 5, 655 § 40, 786 §§ 29, 53, 59, 67, 79, 80, 84.)

SECT. 5. Powers and duties of inspector and assayer of liquors transferred to board of health. St. 1902, 110.

SECT. 5 extended. St. 1910, 394, 405. (See 1910, 457.)

SECT. 6 amended. St. 1903, 467; 1907, 208. (See 1908, 195.)

SECT. 8 revised. 1913, 670. (See St. 1904, 395 § 1; 1909, 391.)

SECT. 10. See St. 1906, 502; 1908, 189, 412; 1910, 257; 1913, 210.

SECT. 13. See St. 1909, 405, 443; 1910, 640; 1911, 443; 1912, 155.

SECT. 16 amended. St. 1903, 367.

SECT. 16 *et seq.* Sale or gift of certain harmful medicines, drugs, etc., restricted. St. 1906, 386; 1907, 180; 1908, 307; 1909, 375; 1910, 271, 416, 541; 1911, 30, 289, 341, 372; 1912, 263, 283; 1913, 272, 654, 705, 720. (See 1905, 220; 1910, 495, 528; 1911, 218, 266.) Deleterious confectionery. St. 1913, 265, 647.

SECT. 18 amended. St. 1910, 528 § 1; 1913, 272.

SECTS. 18, 19. See St. 1911, 600 § 3.

SECT. 19 affected. St. 1911, 289.

SECT. 19 *et seq.* Baking powders to be labeled. St. 1902, 540 § 1. Also certain patent or proprietary drugs and food. St. 1906, 386; 1907, 259. (See 1903, 367; 1907, 180; 1908, 307; 1911, 610; 1912, 474.)

SECT. 23 amended. St. 1910, 528 § 2.

SECT. 24 amended. St. 1905, 236; 1906, 305; 1913, 795.

SECTS. 25, 26 repealed. St. 1908, 238. (See 1903, 367; 1906, 386 § 6; 1907, 259; 1908, 525 § 3; 1910, 172 § 1, 416; 1911, 289, 341, 372.)

SECT. 34 revised. St. 1902, 403.

SECT. 35 revised. St. 1912, 151. (See 1906, 365 § 1; 1911, 613.)

SECT. 35 *et seq.* Provision for three state sanatoriums for tubercular patients. St. 1907, 474; 1910, 198, 491.

SECT. 36 amended. St. 1907, 445. (See 1906, 365 § 1; 1909, 391 § 1.)

SECTS. 36–42 revised. St. 1906, 365 § 1. (See 1902, 206; 1904, 395; 1906, 225, 365 § 4; 1907, 183, 445; 1909, 391; 1911, 613.)

SECT. 46 revised. St. 1906, 365 § 2. (See 1902, 206 § 2.)

SECTS. 47, 52. See St. 1904, 395 § 1.

SECT. 49 amended. St. 1905, 251 § 1; 1907, 480; 1910, 269. (See 1909, 292, 380, 391.)

SECTS. 49, 50, 52. See St. 1913, 670.

SECT. 50 amended. St. 1905, 251 § 2; 1907, 480.

SECT. 52 amended. St. 1907, 480. (See 1902, 213 § 1; 1907, 386; 1909, 380, 391.)

SECT. 56 revised. St. 1906, 365 § 3.

SECT. 57 revised. St. 1902, 213; 1907, 386; 1909, 380. (See 1904, 395 § 2; 1907, 183.)

SECT. 62 revised. St. 1910, 569; 1911, 264.

SECTS. 63, 64 revised. St. 1910, 569. (See St. 1905, 330.)

SECT. 65 *et seq.* Spitting in certain public places and conveyances prohibited. St. 1906, 165; 1907, 410; 1908, 150. Certain lung-testing ma-

chines. St. 1908, 381 § 2. Cold storage and refrigerating warehouses to be licensed and inspected. St. 1910, 640; 1912, 652.

SECTS. 67–74. See St. 1911, 381 § 4; 1912, 486; 1913, 655, § 3.

SECT. 70 amended. St. 1910, 313.

SECT. 79. See St. 1903, 383.

SECT. 90 amended. St. 1903, 306.

SECT. 100 amended. St. 1911, 297 § 2. (See 1907, 243.)

SECT. 101 amended. St. 1911, 297 § 3, 534 § 1.

SECT. 102 amended. St. 1911, 297 § 4. (See St. 1908, 329 § 4.)

SECT. 103 superseded. St. 1902, 312 § 1; 1903, 220 § 1; 1909, 471; 1911, 297 § 5; 1912, 248 § 1, 603. (See 1913, 570.)

SECT. 104 amended. St. 1902, 312 § 1; 1903, 220 § 1; 1909, 476. (See 1908, 329, 411; 1909, 471, 474; 1911, 297.)

SECT. 105 amended. St. 1902, 312 § 2; 1903, 220 § 2; 1908, 329 § 6; 1909, 474; 1912, 248 § 2.

SECT. 111. See 1907, 243; 1911, 297 § 6.

SECT. 112 *et seq.* See St. 1906, 158 § 1; 1908, 499, 539; 1909, 319; 1911, 135; 1913, 660.

SECT. 113 amended. St. 1907, 467.

SECT. 122. See St. 1909, 514 § 81.

SECT. 123 revised. St. 1910, 550.

SECT. 124. See St. 1908, 499, 539; 1910, 400.

SECT. 126. See St. 1911, 339.

SECT. 128. See St. 1912, 372, 482.

SECT. 129 affected. St. 1908, 539.

SECT. 136 repealed. St. 1908, 337.

SECT. 137 revised. St. 1902, 190 § 1.

SECT. 139 revised. St. 1902, 190 § 2, 544 § 10.

Chapter 76. — Of the Registration of Physicians, Surgeons, Pharmacists and Dentists.

Provision for registration of veterinary practitioners and board of registration established. St. 1903, 249; 1906, 503; 1907, 314; 1911, 199. For registration of embalmers. St. 1905, 473; 1910, 390. Optometrists. St. 1912, 700. Of osteopaths. St. 1909, 526. And of nurses. St. 1910, 449. Manicuring, massage and vapor baths. St. 1911, 443; 1912, 155.

Salaries and allowance for travel fixed. St. 1902, 505; 1903, 228, 249 § 1; 1907, 399.

SECT. 2. See St. 1908, 469.

SECT. 3 amended. St. 1913, 346. (See 1909, 504 §§ 32, 91.)

SECTS. 4, 12, 27 repealed. St. 1902, 505 § 6.

SECT. 5. See St. 1910, 458.

SECT. 8. See St. 1909, 526 § 4; 1910, 271; 1911, 372.

SECT. 9 amended. St. 1909, 526 § 6. (See 1903, 249 § 9; 1907, 314 § 2; 1909, 504 § 32.)

SECT. 10 amended. St. 1909, 261 § 3. (See 1907, 190; 1913, 410, 413.)

SECT. 11 amended. St. 1909, 261 § 4. (See St. 1908, 469.)

SECT. 14 amended. St. 1906, 120; 1908, 525 § 1. Board may suspend certificate. St. 1909, 261 § 5.
SECT. 16 amended. St. 1907, 140; 1910, 172 § 2. (See 1902, 327; 1906, 281; 1907, 308; 1909, 261.)
SECT. 17 amended. St. 1902, 321.
SECT. 18 amended. St. 1908, 525 § 2; 1913, 720 § 1. (See 1913, 705, 720 § 2.)
SECT. 23 amended. St. 1902, 327; 1908, 525 § 3; 1910, 172 § 1. (See 1906, 281; 1907, 180; 1908, 238, 307.)
SECTS. 24–28 limited. St. 1903, 219.
SECT. 26 amended. St. 1908, 294 § 1.
SECT. 28 revised. St. 1909, 301; 1911, 377. (See 1905, 289 § 1; 1908, 294 § 2.)
SECT. 29 amended. St. 1903, 219; 1905, 289 § 2.

Chapter 77. — Of the Promotion of Anatomical Science.

Act to establish a board of registration of embalmers. St. 1905, 473; 1910, 390.
SECT. 4 amended. St. 1904, 204.
SECT. 5 (new section) added. St. 1902, 417.

Chapter 78. — Of Cemeteries and Burials.

Cities and towns may appropriate money for care of neglected burial grounds. St. 1902, 389.
Mortuaries in Suffolk. St. 1911, 252; 1912, 631.
Act relative to passing through cemeteries. St. 1913, 182.
Personal property held for care of graves, cemetery lots and similar purposes exempt from taxation. St. 1913, 578. (See 1913, 719 § 17.)
SECTS. 1, 2. See St. 1908, 379, 590 § 51.
SECTS. 3, 4. See St. 1907, 225.
SECT. 9. See St. 1907, 138.
SECT. 12. See St. 1908, 379.
SECT. 15. See St. 1908, 379 § 3.
SECT. 16 amended. St. 1909, 279.
SECT. 19 revised. St. 1904, 422 § 1.
SECT. 20 amended. St. 1904, 422 § 2.
SECT. 30 amended. St. 1908, 379 § 1.
SECT. 31. See St. 1908, 379 §§ 2, 3.
SECT. 37 revised. St. 1907, 138.
SECT. 44. See St. 1905, 473; 1910, 390.

Chapter 79. — Of State and Military Aid and Soldiers' Relief.

SECT. 1 superseded. St. 1902, 192 §§ 1–4; 1909, 468 § 1; 1912, 549.
SECTS. 2–16 superseded. St. 1909, 468 §§ 2–16; 1910, 467, 470; 1912, 589; 1913, 475. (See 1902, 192, 216, 250, 251, 292; 1903, 387, 420; 1904, 381; 1907, 43, 354; 1908, 405.)

Sect. 8 repealed. St. 1902, 192 § 5.
Sect. 14. See St. 1910, 412.
Sect. 18 extended. St. 1902, 250; 1913, 323. (See 1904, 381.)
Sects. 20, 21 superseded. St. 1909, 468 §§ 17, 18. (See 1902, 250, 292; 1904, 381.)
Sects. 22, 23 superseded. St. 1902, 192; 1904, 381 § 1; 1909, 468 § 1.
Reward for civil war veterans. St. 1912, 702; 1913, 105.

Chapter 80. — Of the Settlement of Paupers.

This chapter is repealed and superseded by St. 1911, 669; 1913, 266. (See 1913, 763.)

Chapter 81. — Of the Support of Paupers by Cities and Towns.

Act to provide that persons afflicted with leprosy shall be state charges. St. 1909, 250. (See 1905, 474; 1913, 73.)
Massachusetts commission for the blind may provide temporary support in certain cases. St. 1906, 385 § 6.
Sect. 1 *et seq.* See St. 1911, 669 § 3; 1913, 266.
Sect. 2. See St. 1905, 162.
Sect. 4 amended. St. 1905, 285.
Provision for aiding mothers with dependent children. St. 1913, 763.
Sect. 5 amended. St. 1905, 303 § 1. Provision for care of indigent and neglected children. St. 1903, 334; 1904, 356; 1906, 501; 1908, 104; 1909, 180, 181; 1911, 175; 1912, 165. (See 1905, 307; 1909, 504 §§ 66, 67; 1912, 310; 1913, 457, 796.)
Sect. 7 amended. St. 1905, 303 § 2; 1913, 112.
Sect. 17. See St. 1909, 292.
Sect. 17 *et seq.* See St. 1905, 354; 1909, 504.
Sect. 21 amended. St. 1903, 355; 1912, 331. (See 1903, 233.)
Sect. 22. Cities and towns shall require tramps and vagrants lodged to perform labor. St. 1905, 344. (See 1904, 274; 1905, 348.)
Sect. 25. See St. 1902, 206, 213; 1905, 330.
Sects. 26–28. See St. 1905, 464.
Sects. 40, 41. See St. 1909, 208.
Sect. 41 revised. St. 1905, 115. (See 1909, 208.)

Chapter 82. — Of the Maintenance of Bastard Children.

This chapter is repealed and superseded by St. 1913, 563. (See 1904, 159; 1905, 345; 1910, 316; 1911, 53, 456; 1912, 163; 1913, 38.)

Chapter 83. — Of the Protection of Infants and the Care of Pauper Children.

Act to establish the Massachusetts commission for the blind. St. 1906, 385; 1907, 173.
Provision for school for the feeble-minded. St. 1906, 508; 1907, 421; 1909, 504 §§ 11, 59–65. (See 1907, 489; 1908, 629.)
Uniform desertion act. St. 1911, 456.

The Massachusetts school and home for crippled and deformed children is established. St. 1904, 446; 1905, 128; 1907, 226; 1909, 497.

Provision for care of indigent and neglected children. St. 1903, 334; 1904, 356; 1906, 501; 1908, 104; 1909, 180, 181; 1911, 175; 1912, 165. (See 1905, 307; 1909, 504, §§ 66, 67; 1911, 456; 1912, 310.)

SECT. 10 amended. St. 1905, 269; 1911, 500. (See 1911, 490.)

SECT. 20 *et seq.* Protection of minors in religious belief of their parents. St. 1905, 464.

SECT. 25 amended. St. 1911, 490 § 1.

SECT. 25 *et seq.* See St. 1906, 413 §§ 5, 8, 14; 1907, 362; 1911, 175.

SECT. 29. See St. 1903, 333.

SECT. 36 amended. St. 1911, 490 § 2.

SECT. 37 revised. St. 1903, 334 §§ 1–5, 7; 1906, 489; 1909, 181. (See 1904, 356; 1907, 195; 1909, 180; 1911, 175.)

SECT. 38 revised. St. 1903, 334 §§ 6, 7. (See 1904, 356; 1907, 195.)

Chapter 84. — Of the State Board of Charity.

Act to establish the Massachusetts commission for the blind. St. 1906, 385; 1907, 173.

Provision for hospital for lepers. St. 1905, 474; 1909, 250; 1913, 73.

SECT. 2 amended. St. 1908, 598.

SECT. 2 *et seq.* Powers and duties of the board. St. 1903, 231, 233, 355, 402; 1904, 395, 446 § 12; 1905, 162, 434, 474; 1906, 341, 413 §§ 4, 5, 8, 14; 1907, 222 § 2, 271, 386; 1908, 555, 598; 1909, 380, 391, 472; 1912, 331; 1913, 724, 763 §§ 5, 6. (See 1904, 356 § 3; 1905, 128, 211 § 11, 434; 1908, 195; 1909, 514 § 26; 1911, 194; 1912, 468; 1913, 404.)

SECT. 4 amended. St. 1909, 208.

SECT. 7 revised. St. 1911, 154. (See 1905, 211 § 11.)

SECT. 8 *et seq.* The board may provide for care of persons infected with diseases dangerous to the public health. St. 1904, 395; 1909, 250, 391. (See 1905, 475; 1907, 386; 1908, 555; 1909, 250, 292, 380; 1913, 797.)

SECT. 11 amended. St. 1903, 231. (See 1903, 233.)

SECT. 14 amended. St. 1903, 402; 1909, 379; 1913, 82.

Chapter 85. — Of the State Hospital and the State Farm.

Title of State Hospital changed to State Infirmary. St. 1911, 104.

Hospitals to keep records. St. 1905, 330; 1908, 269; 1912, 449. (See 1909, 504 § 22.)

Provision for three sanatoriums for tuberculous patients. St. 1907, 474; 1908, 532; 1910, 198, 491. (See 1908, 598.)

Act to encourage and promote building and use of tuberculosis hospitals in cities and towns. St. 1911, 597.

Provision for hospital for lepers. St. 1905, 474; 1909, 250; 1913, 73.

SECT. 2. See St. 1908, 195, 469, 470; 1913, 762.

SECT. 6. Certain advances authorized. St. 1908, 178. (See 1907, 466; 1908, 469; 1909, 218.)

SECT. 7 *et seq.* See St. 1905, 434; 1911, 30, 194; 1913, 404.

SECT. 10 amended. St. 1903, 233. (See St. 1911, 334 § 2.)

SECTS. 14, 15. See St. 1902, 213; 1907, 386; 1909, 380, 391; 1912, 331.
SECT. 15 amended. St. 1908, 555; 1913, 797. (See 1909, 391.) Medical attendance added. St. 1909, 292.
SECT. 16 revised. St. 1909, 98.
SECT. 23. See St. 1911, 334 § 2.
SECT. 28. See St. 1905, 434; 1907, 466; 1911, 194; 1913, 404.
SECT. 33 amended. St. 1903, 188.
SECT. 39 amended. St. 1904, 216.
SECT. 40. See St. 1908, 470.
SECTS. 42, 43, 44 repealed. St. 1909, 504 § 107.

Chapter 86. — Of the Lyman School for Boys, the Industrial School for Girls and the Reformation of Juvenile Offenders.

Board of trustees of Massachusetts training schools established and previous boards abolished. St. 1911, 566.
Acts relative to industrial schools. St. 1906, 505; 1908, 572, 639; 1909, 457, 472, 489, 540; 1911, 471, 605. (See 1913, 404.)
Inmates may correspond with board of charity. St. 1906, 341.
Act to provide for the commitment of habitual truants, absentees and school offenders. St. 1906, 389. (See 1907, 158, 195; 1908, 286; 1911, 265, 605; 1913, 471 § 2.)
Acts relative to wayward and delinquent children. St. 1906, 413, 489; 1907, 411; 1908, 637; 1909, 216; 1911, 595; 1912, 187; 1913, 796. (See 1910, 332; 1911, 116, 605; 1913, 471 § 2.)
Boston juvenile court. St. 1906, 489; 1907, 137, 411. (See 1908, 286.)
SECT. 1. See St. 1906, 407.
Reform school for Boston. St. 1901, 359.
SECTS. 5, 7. See St. 1905, 211 § 1.
SECT. 6. See St. 1907, 224; 1909, 514 § 59; 1911, 265.
SECTS. 6, 7, 9. See St. 1908, 639 § 6.
SECT. 7. See St. 1908, 195, 469.
SECT. 10 *et seq.* See St. 1905, 464; 1906, 413, 489; 1912, 562. Solitary confinement prohibited. St. 1911, 265.
Act relative to arrest of escaped inmates. St. 1907, 362.
SECT. 13. State commission on industrial education established. St. 1906, 505; 1909, 457 § 2; 1910, 282; 1911, 466.
SECTS. 14, 17–19. See St. 1908, 286; 1909, 472 § 2.
SECT. 15. See St. 1906, 413 §§ 4, 11, 489.
SECT. 16 superseded. St. 1906, 413 § 6. (See 1906, 489 § 7; 1908, 286.)
SECT. 17. See St. 1906, 413 § 4.
SECT. 18. See St. 1906, 413 §§ 3, 5.
SECT. 20 superseded. St. 1906, 413 § 3. (See 1902, 314.)
SECT. 21 *et seq.* See St. 1906, 413.
SECTS. 22, 27 *et seq.* See St. 1910, 316; 1911, 265.
SECT. 31 amended. St. 1904, 459 § 6. (See 1909, 504.)
SECT. 34 amended. St. 1911, 489.
SECT. 36 amended. St. 1904, 363 § 2. (See 1905, 464.)
SECT. 49 *et seq.* See St. 1906, 413 §§ 5, 8, 14; 1907, 271.

Chapter 87. — Of the State Board of Insanity and Institutions for the Insane.

This chapter is repealed and superseded by act to revise and codify the laws relating to insane persons. St. 1909, 504; 1910, 122, 420; 1911, 30, 71, 273, 334, 394, 395, 480, 649; 1912, 442. (See 1902, 542; 1903, 321, 400, 410; 1904, 363; 1905, 175, 211, 282, 330, 354, 400, 432, 434, 435, 436, 447, 458, 464, 475; 1906, 184, 309, 316, 352, 418, 471, 472, 508; 1907, 421, 432, 489; 1908, 613, 626, 629; 1909, 274, 470, 535; 1910, 307 § 2, 345; 1911, 194, 595, 604; 1912, 562; 1913, 404.)

Act relative to receipts from labor of inmates. St. 1911, 480. Removal of insane prisoners. St. 1911, 604.

Act to regulate restraint of patients. St. 1911, 589.

Provision for maintenance of defective delinquents in certain institutions. St. 1911, 595. For instruction of nurses, attendants and patients in certain institutions. St. 1911, 649.

Names changed. St. 1909, 504 § 98. (See 1907, 226.)

Board may hold property in trust for certain purposes. St. 1910, 583.

SECT. 23. See St. 1905, 175 § 3; 1911, 589.

SECTS. 33, 52, 59. See St. 1911, 273.

SECT. 49. See St. 1905, 475.

SECT. 66 amended. St. 1906, 352.

SECTS. 66, 68 affected. St. 1907, 432.

SECT. 83. See St. 1911, 589.

SECT. 102. See St. 1905, 458.

SECT. 111. See St. 1911, 400, 589.

SECT. 127–129. See St. 1905, 175 § 4.

Chapter 88. — Of the Massachusetts State Sanatorium.

Provision for sanatoriums for tubercular patients. St. 1907, 474; 1908, 532; 1910, 198, 491; 1912, 17. (See 1908, 533, 598; 1909, 414; 1912, 468.)

SECT. 1. Number of trustees increased; two to be women. St. 1905, 159. (See 1907, 271, 474 § 14; 1912, 592.)

SECT. 3. See St. 1905, 175 § 3.

SECT. 4. See St. 1907, 222; 1912, 468.

SECT. 6. See St. 1908, 195.

SECT. 7 repealed. St. 1911, 396. (See 1909, 378.)

Chapter 89. — Of the State Board of Agriculture and the Dairy Bureau.

Provision for reclamation of wet lands. St. 1913, 759.

Act relative to annual payments to the Massachusetts agricultural college. St. 1912, 705. (See 1904, 414; 1908, 460; 1909, 436; 1910, 627; 1911, 592.)

Animal industry department established with powers and duties of board of cattle commissioners. St. 1902, 116; 1908, 515; 1911, 381; 1912, 608; 1913, 329. (See 1911, 297 § 6; 1912, 248.)

Act to regulate use of utensils for testing milk and cream. St. 1912, 218.

Encouragement of agriculture among children and youths. St. 1913, 319. Act to encourage and improve the breeding of poultry. St. 1909, 428; 1913, 590. Encouragement of birds. St. 1913, 296. Act to provide for the encouragement of orcharding. St. 1910, 427. Dairy products, St. 1913, 96. For special exhibitions. St. 1912, 411. To prevent importation of infected nursery stock. Res. 1911, 103. Regulation of places where cattle, swine, etc., are kept. St. 1911, 381. Sale of feed stuffs. St. 1912, 527. (See 1903, 122; 1904, 332.) For incorporation of associations for agricultural or dairy business. St. 1913, 447.

Provision for inspection of apiaries and suppression of contagious diseases of bees. St. 1910, 653; 1911, 220.

Provision for a state ornithologist. St. 1908, 245; 1912, 500.

For nursery inspection and protection of trees, etc., from injurious insects and diseases. St. 1902, 495; 1907, 321; 1911, 474; Res. 1911, 103; 1912, 507. (See 1902, 57; 1905, 381; 1906, 268; 1907, 521; 1908, 591; 1909, 263, 444; 1910, 150, 427; 1911, 242, 474; 1912, 577; 1913, 293, 296, 585, 600, 605.) Circulation of information as to idle farms. St. 1909, 212.

Office of state forester established and duties prescribed. St. 1904, 409; 1907, 473; 1908, 209; 1909, 214, 263, 444 § 3, 452; 1910, 153, 236; 1912, 577; 1913, 293. (See 1907, 475; 1911, 474.) Provision for reforestation. St. 1908, 478; 1909, 214. (See 1909, 187, 394; 1912, 112, 127.) For forest tree nurseries. St. 1912, 577.

SECT. 1 amended. St. 1902, 116 § 4.

SECTS. 2, 3. See St. 1911, 311.

SECT. 4 amended. St. 1911, 186. (See St. 1904, 444 §§ 2, 3; 1908, 459; 1909, 212; 1910, 429.)

SECT. 5 amended. St. 1905, 155; 1907, 401. (See 1908, 195.)

SECT. 6 *et seq.* See St. 1909, 428; 1910, 427; 1911, 607.

SECT. 8. See St. 1905, 211 § 1; 1907, 289; 1908, 459; 1909, 212; 1910, 429; 1911, 186; Res. 1910, 90.

SECT. 10. Provision for instruction in agriculture. St. 1906, 505 § 7; 1909, 457 § 2; 1911, 471; 1913, 337. (See 1907, 520; 1912, 566, 587; 1913, 745.)

SECT. 11 *et seq.* See St. 1909, 425.

SECT. 12 amended. St. 1908, 416 § 1.

Chapter 90. — Of the Board of Cattle Commissioners and of Contagious Diseases of Domestic Animals.

Cattle industry department of state board of agriculture. St. 1902, 116; 1908, 515; 1911, 381; 1912, 608; 1913, 329. (See 1903, 249; 1904, 414 § 2; 1911, 297; 1912, 248, 603.)

SECT. 3. See St. 1905, 211 § 1.

SECTS. 4, 7. See St. 1902, 116 § 3; 1903, 220 § 1; 1908, 329; 1909, 474; 1911, 6; 1912, 608 § 4; 1913, 329.

SECT. 6. See St. 1913, 646 § 1.

SECT. 7 amended. St. 1911, 297 § 1. (See 1909, 474, 476; 1911, 534.)
SECT. 11 amended. St. 1908, 515 § 1; 1912, 608 § 5.
SECT. 12 superseded. St. 1911, 143, 297 § 6, 534 § 2; 1912, 608 § 6. (See 1908, 378.)
SECT. 26. See St. 1913, 646 § 2.
SECT. 27 amended. St. 1908, 515 § 2.
SECT. 28 amended. St. 1911, 6.
SECT. 31 amended. St. 1903, 322.

Chapter 91. — Of Fisheries.

Powers and duties of inspector general of fish transferred to the commissioners on fisheries and game. St. 1902, 138. (See 1902, 178; 1903, 291; 1905, 317 § 2; 1907, 504; 1908, 402 § 2, 484 § 2.) Fish and game wardens. St. 1912, 465; 1913, 250. Duties with respect to fires. St. 1907, 299. Walls or fences. St. 1911, 173.

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SECT. 3 amended. St. 1905, 407. (See 1908, 417.)

SECT. 3 *et seq.* Powers and duties of commissioners and deputies enlarged. St. 1902, 138, 178; 1903, 274, 291; 1904, 367 § 1; 1905, 317; 1906, 179 § 2, 327, 356; 1907, 198, 299, 306, 504; 1908, 255, 402 § 2, 417, 484 § 2, 488 § 2; 1909, 265, 421, 422 § 3, 508 § 2; 1910, 460, 548, 575, 614; 1911, 173, 185, 235, 271, 614, 722; 1912, 237, 379, 465, 567, 710; 1913, 249, 269, 479, 521, 569. (See 1910, 529; 1911, 217; Res. 1911, 68.)

SECT. 4. See St. 1908, 488 § 2; 1912, 372.

SECT. 6. See St. 1913, 521.

SECT. 7 revised. St. 1902, 164.

SECT. 8 repealed and superseded. St. 1910, 460. (See 1906, 356 § 1.)

SECT. 9 amended. St. 1904, 365.

SECT. 15 *et seq.* Provision as to sale or lease of certain islands in great ponds. St. 1904, 379. (See 1910, 529; Res. 1911, 68.) As to renting of boats or use of bathing suits. St. 1910, 400.

SECT. 19 revised. St. 1911, 285. (See 1903, 274; 1907, 306.)

SECT. 26 revised. St. 1904, 308; 1906, 239. (See 1903, 294; 1904, 118.)

SECT. 28. See St. 1911, 185.

SECTS. 35–37. See St. 1908, 298.

SECTS. 36, 42. See St. 1904, 132.

SECT. 52. See St. 1904, 118.

SECT. 54. See St. 1904, 319.

SECTS. 57, 58, 59 repealed and new provisions made. St. 1909, 377; 1910, 469. (See 1905, 190; 1906, 263, 314; 1907, 296.)

SECT. 62 amended. St. 1906, 314 § 1.

SECT. 63 amended. St. 1902, 137; 1906, 314 § 2.

SECT. 63 *et seq.* See St. 1903, 205; 1906, 263; 1909, 377.

SECT. 64 amended. St. 1902, 544 § 11; 1905, 190.

SECT. 66. See St. 1907, 296; 1909, 377.

SECT. 67 amended. St. 1904, 329. Killing and transportation of pike perch restricted. St. 1908, 488. (See 1906, 179.)

SECT. 68 repealed and new provisions made. St. 1905, 417; 1913, 573. (See 1904, 364; 1912, 110.)

SECT. 69 repealed. St. 1904, 223. (See 1912, 129.)

SECT. 70 superseded. St. 1912, 129.

SECT. 71 *et seq.* See St. 1911, 306.

SECTS. 81, 82. See St. 1906, 239; 1908, 492.

SECT. 81 amended. St. 1904, 116; 1905, 81. (See 1906, 239.)

SECT. 83. Act to regulate the taking of scallops. St. 1910, 177. (See 1907, 297; 1908, 270; 1909, 403; 1911, 411; 1913, 517.)

SECT. 83 *et seq.* See St. 1904, 282; 1906, 477; 1909, 469; 1911, 411, 499; 1912, 710.

SECT. 84 amended. St. 1906, 288; 1907, 297.

SECT. 85 limited. St. 1903, 216 § 6; 1904, 269 § 6; 1905, 265 § 1; 1906, 477 § 7. Amended. St. 1913, 517.

SECT. 86 *et seq.* Provision for protection of lobsters. St. 1904, 408 § 1; 1907, 303; 1909, 265.

Act relative to transportation of lobsters. St. 1913, 569. And to sale of lobsters and lobster meat. St. 1913, 643.

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SECT. 92 repealed. St. 1909, 265 § 4.
SECT. 101. See St. 1906, 477.
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SECT. 129 repealed. St. 1907, 298 § 2.
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SECT. 134 extended. St. 1904, 282 § 2.
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Chapter 92. — Of the Preservation of Certain Birds and Animals.

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Act to prevent holding in captivity insectivorous and song birds. St. 1902, 127; 1907, 250 § 2. (See 1903, 287.) Trapping with scented bait. St. 1911, 215.

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Unnaturalized foreign-born persons and non-residents prohibited from hunting unless licensed. St. 1911, 614; 1912, 379; 1913, 249, 479. (See 1905, 317; 1907, 198; 1908, 402; 1909, 262; 1912, 388.)

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Act prohibiting hunting of birds or quadrupeds with rifle, revolver or

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SECT. 1 amended. St. 1904, 176.

SECT. 2 superseded. St. 1911, 236; 1912, 203, 523. (See 1908, 441; 1909, 272; 1910, 365.)

SECT. 3 superseded. St. 1911, 356; 1912, 270, 523. (See 1902, 85, 165; 1903, 206; 1904, 366 § 2; 1905, 122, 406; 1906, 303; 1908, 441; 1909, 272; 1910, 365; 1911, 19.)

SECT. 4 in part superseded. St. 1906, 141; 1911, 188. (See 1906, 274, 301; 1909, 421; 1911, 39, 187; 1912, 490.)

SECT. 5 revised. St. 1910, 472; 1911, 198. (See 1903, 162, 244, 329; 1905, 414; 1907, 99; 1909, 508.)

SECT. 6 revised. St. 1904, 369. (See 1905, 414; 1909, 421, 508; 1912, 567.)

SECT. 7 amended. St. 1903, 287; 1907, 250 § 1. In part repealed. St. 1909, 421. (See 1907, 118; 1908, 484; 1911, 18, 19, 343.)

SECT. 8 amended. St. 1903, 329 § 1.

SECT. 9 superseded. St. 1908, 284; 1909, 466; 1911, 118, 172. (See 1904, 366 § 1; 1907, 161, 166; 1908, 413; 1910, 564; 1912, 523.)

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SECT. 13. See St. 1910, 590.

SECT. 14. See St. 1911, 215; 1913, 529, 744.

SECT. 15. See St. 1909, 309.

SECT. 16 superseded. St. 1909, 309 §§ 1–3. (See 1905, 73; 1906, 482; 1908, 477.)

SECT. 17 revised. St. 1913, 529. (See 1903, 245; 1905, 419; 1907, 307; 1908, 377; 1909, 396; 1910, 545; 1912, 388; 1913, 542.)

SECT. 18 revised. St. 1913, 552. (See 1902, 154; 1903, 407; 1905, 245; 1910, 545 § 3; 1912, 388, 438; 1913, 529, 542, 744.)

SECT. 19. See St. 1911, 217.

SECT. 20 repealed. St. 1908, 330 § 2. (See 1905, 445; 1907, 300; 1908, 330 § 1.)

SECT. 21. See St. 1902, 236 § 1.

SECT. 22 revised. St. 1902, 236 § 2.

SECT. 23. Provision for bounties for killing a wild-cat or Canada lynx. St. 1903, 344. And for damages caused by deer. St. 1903, 407; 1912, 438. (See 1908, 377; 1909, 396; 1910, 545.)

Chapter 94. — Of Lost Goods and Stray Beasts.

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Act relative to breaking up and disposal of old vessels, etc. St. 1908, 595.

Act to provide for supervising transportation and dumping of material in tide waters. St. 1907, 229. (See 1912, 257 § 2.)

SECT. 2. See St. 1905, 211 § 1; 1908, 195; Res. 1909, 26.

SECT. 3. See St. 1904, 379; 1909, 481 § 2; 1910, 606 §§ 3, 4, 7; 1913, 543.

SECT. 8. See St. 1902, 224, 425; 1904, 273; 1907, 229 § 1; 1908, 595; 1910, 255, 585.

SECT. 9. See St. 1903, 150 § 1; 1909, 481 § 1; 1912, 642.

SECT. 14. See St. 1906, 145.

SECT. 17. See St. 1907, 229.

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Acts to provide for one day's rest in seven. St. 1907, 577; 1909, 514 §§ 52, 145.

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SECT. 2 revised. St. 1904, 460 § 2; 1909, 420. (See 1904, 176; 1907, 204, 577; 1908, 126; 1909, 423, 514 § 52.)

Sale of ice-cream, confectionery, etc. St. 1909, 423; 1910, 327; 1913, 451.

SECT. 2 limited. St. 1908, 333, 343, 354, 537; 1909, 420.

SECT. 3 amended. St. 1902, 414; 1908, 126, 273, 333, 343, 354, 537; 1910, 327; 1911, 328. Affected. St. 1909, 423.

SECT. 5 revised. St. 1904, 460 § 3. (See 1905, 341; 1907, 274; 1908, 126, 385.)

SECT. 12 amended. St. 1908, 123.

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Acts relative to wood alcohol. St. 1905, 220; 1910, 541. Sale of candy containing alcohol. St. 1913, 647.

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Sects. 2–4. See 1913, 655 § 8.

Sect. 4 amended. St. 1912, 389.

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Sects. 21–29. See St. 1902, 327; 1908, 525 § 3; 1910, 172 § 1.

Sect. 22 amended. St. 1913, 410 § 2. (See 1913, 413.)

Sect. 23 amended. St. 1907, 308; 1909, 261 § 1. Board may suspend certificate. St. 1909, 261 § 5.

Sect. 26. See St. 1907, 190; 1913, 410 § 1, 413.

Sect. 27. See St. 1906, 281; 1909, 261 § 2; 1913, 413.

Sect. 33 repealed. St. 1903, 461.

Sect. 34 revised. St. 1906, 374.

Sect. 35 amended. St. 1906, 104.

Sect. 41. See St. 1911, 136.

Sect. 47 amended. Suspension of license authorized. St. 1908, 108.

Sects. 48–50. Provision for registration and permits for carriers of intoxicating liquors in certain cases. St. 1906, 421; 1907, 517; 1910, 497; 1911, 423.

Sect. 49 amended. St. 1907, 517 § 1; 1910, 497 § 1; 1912, 201.

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Sect. 57 amended. St. 1910, 264.

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SECT. 88. See St. 1902, 485 § 4. Club charter may be revoked in certain cases. St. 1902, 524.

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SECT. 9. See St. 1911, 77, 88.

Chapter 102. — Of Licenses and Municipal Regulations of Police.

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Licensing of theatres and public halls. St. 1904, 450; 1905, 176, 341, 342; 1906, 105; 1908, 335; 1909, 143; 1913, 655 §§ 31–37. (See 1909, 514 §§ 76, 77; 1911, 367, 460; 1912, 320.) Lunch wagons in public ways. St. 1908, 360. For cinematographs or similar apparatus. St. 1908, 566; 1909, 281; 1911, 48, 440; 1912, 182. (See 1905, 176, 437; 1908, 565.) Street trades for minors. St. 1913, 831 §§ 11–15.

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Act relative to collection agencies. St. 1910, 656.

Provision for license to carry loaded pistol. St. 1906, 172 § 1; 1908, 350; 1911, 548. (See 1910, 565; 1911, 283.) For manufacture of fireworks or firecrackers. St. 1910, 565. (See 1911, 495.)

For breaking up and disposal of old vessels, etc. St. 1908, 595.

In certain cities public lodging houses must be licensed. St. 1904, 242; 1911, 129; 1913, 655 §§ 42–47. (See 1894, 414.)

Licenses and registration of hunters. St. 1911, 614; 1912, 379; 1913, 249, 479. (See 1905, 317; 1907, 198; 1908, 402, 484; 1909, 262, 325, 362;

1910, 614; 1911, 235; 1912, 388; 1913, 529, 542.) Licenses to work or do business on Sunday. St. 1909, 420, 423; 1910, 327; 1913, 451.

Licenses in Boston: To gas fitters. St. 1897, 265. Operators of elevators. St. 1913, 714. Junk dealers. St. 1900, 416; 1906, 291 § 4. (See 1902, 187 § 4; 1909, 221.) Minors to black boots, etc. St. 1902, 531. (See 1904, 450 § 2.) Pawnbrokers; private detectives; money lenders; dogs. St. 1906, 291 § 4. (See 1907, 211, 500 §§ 2, 3.) Picnic groves; skating rinks; intelligence offices; billiard, pool or sippio tables; bowling alleys. St. 1906, 291 § 4; 1907, 214. Garages. St. 1913, 577. Theatres and public halls. St. 1907, 463; 1908, 335. Shows and amusements. St. 1908, 494. (See 1913, 280.) Street stands. St. 1907, 584; 1909, 329. (See 1913, 680.) Lunch wagons in street. St. 1908, 360. Sight seeing automobiles. St. 1913, 592.

Provision for licensing dealers in coal and coke. St. 1903, 484; 1906, 434. Operators of automobiles and motor cycles. St. 1909, 534; 1910, 525, 605; 1911, 37; 1912, 123, 400; 1913, 95, 116, 123, 530, 803. (See 1902, 315; 1903, 473; 1905, 311, 366; 1906, 353, 412; 1907, 203, 408, 580; 1908, 263, 642, 648; 1911, 507; 1912, 184; 1913, 592.) Garages, see St. 1913, 300, 577. Lung testing machines. St. 1908, 381. Cold storage houses. St. 1910, 640; 1912, 652. Operators of hoisting machinery in certain cases. St. 1911, 656. (See 1913, 714.)

SECT. 2 revised. St. 1910, 383. (See 1906, 291 § 4.)

SECT. 23 *et seq.* See St. 1906, 435; 1908, 485.

SECT. 29 amended. St. 1902, 187 § 1; 1910, 554 § 1. (See 1906, 291 § 4.)

SECT. 30 amended. St. 1902, 187 § 2; 1910, 193.

SECT. 32 amended. St. 1902, 187 § 3; 1910, 554 § 2.

SECT. 33. See St. 1906, 291 § 4.

SECT. 40 amended. St. 1905, 415.

SECT. 41 amended. St. 1911, 727 § 21.

SECT. 42 amended. St. 1907, 211. (See 1907, 500 §§ 2, 3.)

SECT. 47 *et seq.* See St. 1905, 308; 1906, 390; 1908, 605; 1909, 317, 514; 1911, 727; 1912, 675.

SECT. 48. See St. 1906, 291 § 10.

SECTS. 52, 53. See St. 1911, 727 §§ 14, 15.

SECTS. 57–68 repealed by St. 1911, 727 § 24. Acts regulating small loans. St. 1905, 308; 1906, 390; 1908, 605; 1909, 317, 514 §§ 121–126; 1910, 563; 1911, 727; 1912, 675; 1913, 347, 638. (See 1909, 278; 1913, 656, 832 § 8.)

SECT. 69 revised. St. 1912, 486.

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SECT. 78 amended. St. 1907, 373 § 1; 1911, 562 § 1.

SECT. 78 *et seq.* See St. 1905, 310 § 4, 472; 1906, 387; 1907, 373, 465; 1908, 563; 1913, 610 § 4.

SECT. 80 amended. St. 1911, 562 § 2.

SECT. 81 amended. St. 1905, 310 § 1; 1911, 562 § 3.

SECT. 82 revised. St. 1907, 373 § 2; 1911, 562 § 4; 1913, 209. (See 1905, 310 § 2; 1906, 414, 521, 522.)

SECT. 83 revised. St. 1911, 562 § 5.
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SECT. 86 amended. St. 1905, 310 § 3.
SECT. 89 *et seq.* Provisions as to explosives and inflammable fluids. St. 1904, 370; 1905, 280; 1908, 502; 1910, 223, 588; 1911, 477; 1913, 452. (See 1910, 284.) Acts relative to paint, turpentine and linseed oil. St. 1908, 531; 1911, 218, 266.
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SECTS. 97, 98. Act to provide for the giving of bonds in blasting operations. St. 1911, 325.
SECTS. 99–101 repealed and superseded. St. 1910, 588.
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SECT. 114. See St. 1904, 370; 1905, 280; 1908, 502.
SECT. 122 amended. St. 1908, 187.
SECT. 122 *et seq.* See St. 1905, 418; 1908, 187 § 1; 1910, 651; 1911, 10, 223.
SECTS. 128, 129 amended. St. 1909, 440 § 4. (See 1913, 551.)
SECT. 130 amended. St. 1908, 169; 1910, 87.
SECT. 133 in part repealed. St. 1904, 353 § 3; 1906, 291.
SECT. 134 amended. St. 1910, 319. (See 1905, 317 § 2; 1908, 402 § 2; 1910, 614 § 3.)
SECT. 138 revised. St. 1904, 105 § 1.
SECT. 141 repealed. St. 1904, 105 § 2.
SECT. 142 amended. St. 1909, 440 § 2. (See 1906, 291 § 10.)
SECT. 143 amended. St. 1907, 240 § 1; 1908, 182; 1910, 629; 1911, 391.
SECT. 144 amended. St. 1907, 240 § 2.
SECT. 150 *et seq.* Provision for better protection of domestic animals from dogs. St. 1902, 226; 1904, 127, 283; 1911, 392.
SECT. 151 amended. St. 1903, 100; 1904, 283; 1911, 392.
SECT. 152 amended. St. 1905, 106.
SECT. 155 amended. St. 1904, 142; 1907, 241; 1910, 392.
SECT. 168. See St. 1906, 291 §§ 8, 10.
SECT. 170 amended. St. 1908, 368.
SECT. 172 superseded. St. 1908, 385 § 2. (See 1904, 450 § 15, 460; 1905, 341, 342; 1906, 105; 1907, 274; 1909, 189, 514 § 77.)
SECT. 172 *et seq.* See St. 1904, 183; 1906, 384; 1908, 368, 381; 1910, 143.
SECT. 173 amended. St. 1904, 460 § 5; 1907, 309; 1909, 254. (See 1904, 450 § 15; 1905, 341, 342; 1906, 105; 1908, 335.)
SECT. 176 amended. St. 1906, 190, 291 § 4. (See 1906, 384.)
SECT. 178. See St. 1906, 291 § 4.
SECT. 181 amended. St. 1910, 125 § 1.
SECT. 182 amended. St. 1910, 125 § 2.
SECT. 183 amended. St. 1910, 125 § 3.
SECT. 184 amended. St. 1906, 107; 1907, 355; 1910, 532. (See 1906, 384.)
SECT. 186 amended. "Junk collectors" added. St. 1902, 187 § 4. (See 1906, 190, 291 § 4.)

Chapter 103. — Of the Supervision of Plumbing.

This chapter in part superseded by acts relative to the supervision of the business of plumbing. St. 1909, 536; 1910, 597; 1912, 518, 635 § 34; 1913, 786 § 32.

Chapter 104. — Of the Inspection of Buildings.

Act to revise and codify building inspection laws. St. 1913, 655. (See 1913, 676.)

Building inspection department of district police. St. 1913, 610.

Licensing and inspection of theatres and public halls regulated. St. 1904, 450; 1906, 105; 1908, 335, 389; 1909, 354; 1910, 143; 1911, 367; 1912, 320, 726. (See 1904, 460 §§ 4, 5; 1905, 341, 342; 1908, 336; 1911, 309, 314; 1913, 391, 572.) Inspection of ventilating and lighting of factories and workshops. St. 1907, 537; 1909, 514 § 105; 1911, 603; 1913, 766. (See 1912, 726.) Acts relative to tenement houses in towns. St. 1912, 635; 1913, 441, 614. Tenement houses in cities. St. 1913, 786.

Acts to prohibit obstruction of means of egress from buildings. St. 1905, 347; 1908, 336. Sanitary requirements for certain buildings. St. 1902, 322; 1906, 250; 1909, 514 § 78. Storage of explosives and inflammable compounds. St. 1904, 370; 1905, 280; 1908, 502; 1910, 223; 1913, 452. (See 1910, 588; 1911, 477; 1913, 610.) Provision for safe keeping of matches in stores. St. 1909, 184. Regulation of cinematographs and similar apparatus. St. 1905, 176, 437; 1908, 565, 566; 1909, 281; 1911, 48, 440; 1912, 182. (See 1913, 280.) Passenger elevators to have seat for operator. St. 1912, 479. Act relative to elevators and to elevator regulations. St. 1913, 806. (See 1909, 514 §§ 74, 96.)

Building laws for Boston. St. 1907, 550; 1909, 313; 1910, 284, 631; 1911, 342; 1912, 369, 370; 1913, 50, 586, 704, 714, 729. (See 1892, 419; 1893, 170, 293, 297, 464; 1894, 257, 443; 1895, 97, 239, 280, 314; 1896, 416, 520; 1897, 175, 219, 265, 300, 310, 413; 1898, 209, 228, 268, 308, 452; 1899, 161, 185, 222; 1900, 271, 321, 335 § 2; 1901, 474; 1902, 400; 1903, 301; 1904, 227, 333, 336, 368, 450 §§ 2, 10; 1905, 342, 383, 426; 1906, 340; 1907, 416, 463; 1908, 339, 347; 1911, 76; 1912, 259, 582, 713; 1913, 280, 655 § 52, 680, 806 § 12.) Garages. St. 1913, 577.

SECTS. 1–18 repealed. St. 1913, 655 § 61. (See 1904, 450 §§ 4–10; 1905, 472; 1906, 105, 499 § 2; 1908, 321; 1912, 334; 1913, 610 § 2.)

SECTS. 19, 20 repealed and superseded. St. 1908, 487. (See 1907, 499.)

SECTS. 21–26 repealed. St. 1913, 655 § 61.

SECT. 22 *et seq.* Acts to regulate public lodging houses in certain cities. St. 1904, 242; 1911, 129; 1913, 655 §§ 42–47. (See 1907, 490; 1909, 504 § 26; 1912, 635.)

SECT. 25 amended. St. 1907, 503 § 1. (See 1905, 347 § 1.)

SECTS. 27, 28 repealed as to elevators. St. 1913, 803 § 13. (See 1902, 350; 1909, 514 §§ 74, 96; 1912, 479; 1913, 610 § 2.)

SECT. 28 amended. St. 1911, 455.

SECTS. 29–37 repealed. St. 1913, 655 § 66. (See 1905, 347 § 2; 1906, 105 § 1; 1913, 610 § 2.)

SECTS. 38–47 repeal and substitute. St. 1909, 514 §§ 91–100, 145. (See 1903, 475; 1904, 347, 430; 1906, 250, 522; 1907, 164, 451, 503, 537; 1908, 375, 389; 1909, 354, 413, 514 § 64; 1913, 610 § 2.)

SECT. 41 amended. St. 1907, 503 § 2. Inspection. St. 1907, 537 § 5; 1912, 726 § 5. (See 1904, 430; 1906, 522; 1907, 451; 1908, 375, 389; 1909, 354; 1913, 676.)

SECTS. 41, 42. See St. 1903, 475; 1904, 347; 1906, 250; 1907, 164; 1909, 514 §§ 86–90, 145; 1912, 726 § 5.

SECTS. 48–56 repealed. St. 1913, 655 § 61. (See 1913, 610 § 2.)

SECT. 54. See St. 1905, 347.

Chapter 105. — Of the Inspection of Steam Boilers.

The law as to the inspection and operation of steam boilers is revised. St. 1907, 465, 1908, 563; 1909, 393, 410; 1911, 619, 656; 1912, 531; 1913, 610. (See 1905, 310, 472; 1906, 387, 521, 522; 1907, 373, 451; 1909, 131, 348; 1910, 284; 1911, 562; 1912, 726 § 5; 1913, 209.)

Boiler inspection department of district police. St. 1913, 610. Pneumatic machines. St. 1913, 629.

License required for operating hoisting machinery in certain cases. St. 1911, 656.

Board of boiler rules established. St. 1907, 465 § 24. (See 1912, 531.)

SECTS. 2, 3. See St. 1907, 465 §§ 2, 3, 13.

SECT. 4 superseded. St. 1907, 465 §§ 14, 15; 1912, 531 §§ 5, 6.

SECT. 5. See St. 1907, 465 §§ 3, 15, 17, 19; 1912, 531 §§ 6, 7.

SECT. 6. See St. 1907, 465 § 28.

SECT. 9. See St. 1907, 465 § 20; 1908, 563 § 1.

SECTS. 10, 11. See St. 1907, 465 §§ 20, 28.

Chapter 106. — Of the Employment of Labor.

This chapter is repealed and revised by acts to codify the laws relating to labor. St. 1909, 514; 1910, 63, 166 § 2, 259, 350, 404, 445, 543, 611; 1911, 151, 178, 208, 229, 241, 249, 263, 269, 281, 310, 313, 431, 484, 532, 584, 629, 751; 1912, 96, 172, 191, 251, 318, 452, 477, 479, 495, 533, 545, 571, 653, 666, 706; 1913, 333, 359, 365, 426, 448, 568, 619, 690. (See 1902, 183, 322, 350, 384, 430, 435, 446, 450; 1903, 275, 320, 475; 1904, 311, 313, 315, 334, 335, 343, 347, 349, 397, 432; 1905, 213, 231, 238, 267, 304, 308; 1906, 250, 284, 370, 390, 427, 435, 463 II § 167, 499, 517; 1907, 135, 164, 193, 224, 267, 269, 503 § 2, 537, 560 §§ 447, 448, 570, 577; 1908, 210, 217, 228, 306, 325, 380, 420, 457, 485, 489, 547, 553, 645, 650; 1909, 201, 211, 332, 363, 371; 1910, 249, 257, 414, 473; 1911, 63, 113, 136, 541, 603; 1912, 546, 683; 1913, 445, 685, 805.)

Acts to establish a board of labor and industries. St. 1912, 726; 1913, 424, 766, 813, 831 §§ 4, 18. Industrial accident board established. St. 1911, 751 III; 1913, 48, 746 § 1.

Passenger elevators to have seat for operator. St. 1912, 479. (See 1913, 806.)

Retirement system for state employees. St. 1911, 532; 1912, 363; 1913, 310.

Provision for continuation schools for working children. St. 1913, 805.

Provision for free employment bureaus in certain cities. St. 1906, 435; 1907, 135; 1908, 306, 462 § 5, 485; 1909, 514 §§ 1–9; 1911, 158; 1913, 389.

Board of conciliation and arbitration. St. 1909, 514 §§ 10–16; 1913, 444.

Act to regulate days of employment in certain establishments. St. 1913, 619.

Act to regulate labor of minors. St. 1913, 831.

List of state officials and employees and their compensation to be printed. St. 1910, 268; 1911, 43; 1913, 534.

Act to prohibit making up time lost by holidays, in certain establishments. St. 1913, 359.

Acts to establish a minimum wage commission and provide for fixing minimum wage of women and minors. St. 1912, 706; 1913, 330, 673.

Pay rolls, bills and accounts for services for certain cities to be verified by oath. St. 1913, 520.

Acts relative to payment for personal injuries to employees. St. 1911, 751; 1912, 172, 251, 409, 571, 726; 1913, 445, 448, 568, 696, 746, 807.

Acts to establish pension systems. St. 1910, 559, 619; 1911, 113, 338, 413, 532, 634, 675; 1912, 363, 447, 503; 1913, 63, 310, 313, 367, 642, 671, 817. (See 1911, 413; 1913, 657, 681, 697.)

Act relative to employment in night messenger service. St. 1911, 629. Of women in core rooms. St. 1912, 653. To moving certain boxes and baskets where women are employed. St. 1913, 426.

As to assignments of wages, see 1905, 308; 1906, 390; 1908, 605 §§ 7, 8; 1909, 317, 514 §§ 121–126; 1910, 563; 1911, 727 § 22; 1912, 675 § 6.

Provision for homesteads for workmen. St. 1911, 607; 1912, 714; 1913, 494 § 3, 595.

Act relative to imposition of fines by unions. St. 1911, 431.

SECT. 18. See St. 1911, 628 §§ 29*b*, 33; 1913, 617 § 5.

SECT. 20 extended by act to constitute eight hours a day's work for public employees. St. 1911, 494. (See 1909, 514 § 42; 1913, 822.) Hours of employment of women and minors. St. 1909, 514 § 48; 1911, 484; 1912, 477; 1913, 758, 831. Of street railway employees. St. 1912, 533; 1913, 833. (See 1912, 533, 706; 1913, 330, 365.)

SECT. 31 amended. St. 1907, 224. (See 1909, 514 § 59; 1913, 779 § 17.)

SECT. 37. See St. 1911, 229.

SECT. 62 amended. St. 1909, 514 § 112; 1910, 350; 1911, 208, 249.

SECT. 65. See St. 1911, 584.

SECT. 71 *et seq.* See St. 1909, 514 §§ 127–144; 1910, 166; 1911, 571 I; 1912, 409.

SECTS. 72, 73. See 1911, 751; 1912, 172, 251; 1913, 290.

Chapter 107. — Of the Bureau of Statistics of Labor and the Board of Supervisors of Statistics.

This chapter is repealed and superseded by St. 1909, 371; 1910, 83; 1911, 74, 158; 1912, 45, 49, 560; 1913, 358, 416, 706, 727. (See 1902, 438; 1906, 296, 385 § 2; 1907, 79, 135; 1908, 306, 462, 481, 485 § 7, 517; 1909, 514 §§ 1–8; 1910, 598, 616; Res. 1909, 41; St. 1911, 59, 607; 1912, 352, 706 § 12; Res. 1911, 142; St. 1913, 677.)

Acts to establish a board of labor and industry. St. 1912, 726; 1913, 424, 766, 813, 831 § 4.

Commission on immigration. Res. 1913, 77.

Provision for free employment bureaus in certain cities. St. 1906, 435; 1907, 135; 1908, 306, 462 § 5, 485; 1909, 514 §§ 1–9; 1911, 158; 1913, 389. (See 1909, 371; 1912, 726 § 5.)

SECTS. 10, 11 repealed. St. 1902, 438 § 7. (See 1909, 67.)

Chapter 108. — Of District and Other Police Officers.

The fire marshal's department is abolished and duties and powers transferred to detective department of district police. St. 1904, 433; 1905, 280; 1908, 502, 568; 1910, 223, 328, 588. Salaries of fire inspectors. St. 1905, 247 § 1, 461 § 1. (See 1902, 142; 1903, 365; 1904, 370; 1911, 477; 1913, 816.)

Board of labor and industries to have powers and duties of inspectors of buildings, factories, etc. St. 1912, 726 §§ 5–13; 1913, 424, 766, 813.

Appeals to state board of health. St. 1907, 499.

Police commissioner for Boston. St. 1906, 291; 1907, 214; 1909, 221. And deputy. St. 1909, 311. (See 1885, 323; 1889, 419, 450; 1894, 266; 1897, 320; 1900, 306; 1903, 312, 428 § 3; 1904, 353, 402; 1905, 223; 1907, 513, 584; 1909, 329; 1911, 287, 727 § 20; 1913, 236, 280, 728.)

SECT. 1. Additional members. St. 1903, 333, 365 §§ 2, 4; 1904, 318, 430; 1906, 521, 522 § 1; 1907, 451, 465 § 25, 482; 1908, 185, 470; 1909, 413, 432; 1911, 616, 620; 1912, 614; 1913, 816. (See 1904, 347 § 2; 1906, 105 §§ 1–3, 262; 1908, 389; 1912, 384, 726 §§ 5, 12.) Age limit. St. 1904, 430; 1906, 522; 1908, 375.

Act to divide inspection department into two departments. St. 1913, 610.

SECT. 2. Chief of boiler inspection department. St. 1906, 521; 1910, 179; 1911, 619, 656. (See 1906, 387; 1907, 465 §§ 4, 25; 1908, 470, 563 § 2; 1909, 131, 393; 1912, 726 §§ 5, 12.)

SECT. 3 amended. St. 1913, 480.

SECT. 3 *et seq.* Stenographers. St. 1907, 465 § 25, 482; 1908, 479; 1911, 561. Chief may authorize carrying of badges and weapons. St. 1908, 143.

SECT. 4. See St. 1908, 195, 469.

SECT. 5. Salaries. St. 1904, 382, 433; 1905, 247, 365, 461 § 1; 1906, 480, 521 § 1, 522 § 1; 1909, 410; 1911, 549, 561, 619, 620; 1913, 480, 834. (See 1907, 482; 1913, 610 § 1.)

Tenure of office of police officers. St. 1906, 210; 1907, 272. (See 1911, 624.)

Pensions for the district police. St. 1911, 675.

SECTS. 7, 8. See St. 1903, 475 §§ 3, 5; 1905, 176, 304 § 4, 472; 1906, 105, 262; 1907, 373, 465 § 4; 1908, 375, 385 § 1, 389, 566, 568; 1909, 189, 354, 504 §§ 42, 44, 514 §§ 82, 94, 105, 107; 1910, 259, 404, 565, 588; 1911, 218, 269, 310, 325, 440, 562 §§ 3, 6, 8, 656, 727 § 2; 1912, 318, 372; 1913, 333, 831 § 25.

SECT. 8 amended. St. 1907, 413. Duties transferred. St. 1907, 537 § 5; 1912, 726 §§ 5, 12. (See 1909, 514 §§ 89, 105, 107; 1910, 284; 1911, 603.)

SECT. 10 amended. St. 1902, 544 § 12.
SECTS. 11, 12 superseded. St. 1909, 514 §§ 34, 35, 145. (See St. 1903, 333; 1908, 470.)
SECTS. 13–18 in part repealed. St. 1906, 463 I §§ 49–53, 68.
SECT. 20 in part repealed. St. 1906, 463 I §§ 55, 68.
SECTS. 21–25 superseded. St. 1906, 463 I §§ 49–55, 68.
SECT. 29 amended. St. 1903, 428 § 1; 1909, 188. (See 1910, 261.) Mutual aid association. St. 1905, 246; 1910, 295.
SECTS. 29–31. See St. 1909, 453.
SECT. 30 revised. St. 1903, 428 § 2.
SECTS. 32, 33, 36. See St. 1906, 291 § 10.

Chapter 109. — Of Certain Powers, Duties and Liabilities of Corporations.

This chapter is repealed in part and new provisions made for business corporations. St. 1903, 437; 1904, 207, 261; 1905, 156, 222, 242; 1906, 271 §§ 12, 13, 286, 346, 372; 1907, 282, 332, 395, 396, 578; 1908, 180, 300; 1909, 326; 1910, 353, 385; 1911, 184, 488, 492; 1912, 175, 586, 595; 1913, 257, 447, 597, 660. (See 1902, 370, 441, 463; 1903, 423; 1904, 442; 1905, 242; 1906, 269, 392, 437; 1907, 414 § 2; 1908, 314, 454 § 1; 1909, 440 § 2, 490 I §§ 60–62, II, III; 1912, 312; 1913, 694.) Act to prohibit transfer of assets in fraud of the Commonwealth. St. 1910, 187.

Acts relative to voluntary associations under written instruments. St. 1909, 441; 1913, 454, 596.

Uniform stock transfer act. St. 1910, 171.

Acts relative to recording name and change of name. St. 1907, 539; 1908, 163, 316. Use of names or titles of public service corporations. St. 1913, 499.

Acts relative to taking deposits for tickets from foreign countries or other purposes. St. 1905, 428; 1906, 408; 1907, 377; 1908, 493; 1909, 287, 450; 1910, 338; 1911, 358; 1912, 335; 1913, 178, 179, 245.

SECT. 1. See St. 1906, 269; 1907, 332; 1911, 70.
SECT. 2. See St. 1910, 187.
SECT. 7 limited. St. 1910, 197.
SECTS. 9–11, 15, 17, 20, 21, 24, 25, 27, 28, 30–35, 40, 52–57 repealed, so far as they apply to railroads or railroad corporations, etc. St. 1906, 463 II §§ 34, 38, 42, 44, 65–70, 258, III §§ 105–112, 138–143. (See 1908, 636; 1909, 369.)
SECTS. 13, 14. See St. 1906, 463 II § 29.
SECT. 18. See St. 1906, 463 III § 4.
SECT. 20 *et seq.* See St. 1913, 660.
SECTS. 24–27. See St. 1902, 441; 1903, 437 § 40; 1906, 392, 437; 1908, 529 § 4, 534; 1909, 477; 1910, 374.
SECTS. 32–35. See St. 1910, 171.
SECTS. 36–39 repealed. St. 1903, 423 § 2. (See 1906, 463 II §§ 41, 258; 1910, 171.)
SECT. 52 *et seq.* See St. 1910, 187.
SECT. 54 amended. St. 1905, 156. (See 1903, 437 § 53.)
SECT. 99. See St. 1906, 463 II § 47.

Chapter 110. — Of Manufacturing and Other Corporations.

This chapter is repealed in part and new provisions made for business corporations. St. 1903, 437; 1904, 207, 261; 1905, 222; 1906, 271 §§ 12, 13, 286, 346, 372; 1907, 282, 332, 395, 396, 578; 1908, 180, 300; 1909, 326; 1910, 353, 385; 1911, 488, 492; 1912, 175, 586, 595. (See 1902, 441; 1904, 442; 1905, 156; 1908, 468; 1909, 103, 440 § 2, 441, 490 I and II; 1911, 184, 428; 1913, 447, 597, 660.) Act to prohibit transfer of assets in fraud of the Commonwealth. St. 1910, 187.

Act relative to the listing and advertising of shares of stock of mining corporations. St. 1911, 492. (See 1911, 488.)

Uniform stock transfer act. St. 1910, 171.

Acts relative to recording name and change of name. St. 1907, 539; 1908, 163, 316.

SECT. 1. See St. 1906, 204; 1908, 590 § 4; 1909, 491 § 2; 1911, 148.

SECT. 9 amended. St. 1910, 346.

SECT. 10. See St. 1909, 441.

SECTS. 15–20. See St. 1911, 251; 1912, 311; 1913, 750.

SECTS. 17, 22–25, 27, 28. See St. 1906, 463 II §§ 29–32, 37, 40, 43.

SECT. 19 repealed. St. 1906, 463 II § 258.

SECT. 24. See St. 1907, 576 § 61; 1909, 256; 1911, 344.

SECT. 32 amended. St. 1908, 534 § 1. (See 1906, 437; 1909, 316, 477; 1910, 374.)

SECT. 46. See St. 1910, 187.

SECT. 47 amended. St. 1910, 124.

SECT. 48. See St. 1909, 477; 1910, 374.

SECT. 51. See St. 1913, 660 § 3.

SECTS. 76–78. See St. 1909, 103.

SECT. 81. See St. 1913, 660.

SECT. 84. See St. 1911, 339.

SECT. 86 amended. St. 1908, 382 § 1. (See 1908, 219.)

Chapter 111. — Of Railroad Corporations and Railroads.

This chapter, except section 158, is repealed by St. 1906, 463 II § 258; and revised by St. 1906, 463 I, II; 1907, 245, 287, 315, 392, 585; 1908, 390, 504, 542, 553, 620, 636, 649; 1909, 47 § 1, 233, 343, 348, 358, 369, 394, 417, 429; 1910, 353, 401, 498, 544, 558, 588, 633; 1911, 120, 290, 486, 491, 508, 681; 1912, 156, 354, 375, 725 I §§ 4–6, II §§ 2–7; 1913, 161. (See 1902, 298, 402, 432, 440, 507, 533, 544 § 13; 1903, 126, 173, 297, 423, 478; 1904, 59, 96, 169, 265, 357, 429; 1905, 134, 208, 210, 408, 456; 1906, 266, 267, 283, 417, 463 II § 258, 516; 1907, 428, 431; 1908, 372, 495, 552, 599; 1909, 118, 485, 490 I §§ 9, 43, III, 502, 514 §§ 24, 25, 46, 127, 145; 1910, 171, 187, 214, 443, 596; 1911, 184, 214, 635; 1912, 496; 1913, 546 § 5, 765.)

Act relative to employment of engineers and conductors. St. 1911, 539.

Acts for better protection from fire of woodlands adjoining railroads. St. 1907, 431; 1909, 394. Act relative to use of torpedoes, etc. St. 1908, 495.

Acts to regulate formation of electric railroad companies. St. 1906, 516; 1907, 428, 448; 1908, 301, 450. (See 1909, 118.) Use of names or titles of public service corporations. St. 1913, 499.

Act relative to season tickets. St. 1911, 508.

As to mileage and commutation tickets. See St. 1908, 649.

Acts relative to furnishing drinking water on passenger trains. St. 1911, 491; 1912, 581.

Acts relative to taking of deposits for transmission to foreign countries, or other purposes. St. 1905, 428; 1906, 408; 1907, 377; 1908, 493; 1909, 287, 450; 1910, 338; 1911, 358; 1912, 335; 1913, 178, 179, 245. (See 1908, 599.)

SECT. 9. See 1906, 463 I § 2; 1910, 401; 1912, 622.

SECT. 11 *et seq.* See St. 1906, 463 I §§ 5–9; 1911, 755; 1912, 488; 1913, 499, 508, 598.

SECT. 149 *et seq.* See St. 1906, 463 I §§ 29–45; 1908, 372, 390, 542; 1909, 47, 429; 1910, 498, 544.

SECT. 158. Not repealed by St. 1906, 463. (See 1906, 463 II § 258; 1909, 358.)

Act to restrain the consolidation of railroad corporations. St. 1907, 585.

SECTS. 225, 234. See St. 1912, 488.

SECT. 263 *et seq.* See St. 1903, 297; 1906, 463 I § 68; 1907, 392 § 1; 1911, 635.

SECT. 267. See St. 1906, 463 II § 265.

SECT. 270. See St. 1909, 394.

Chapter 112. — Of Street Railway Corporations.

This chapter is repealed by St. 1906, 463 III § 158; and revised by St. 1906, 463 III, 479; 1907, 318, 392, 402; 1908, 530, 620, 636; 1909, 47 § 1, 369, 417, 485; 1910, 443, 453, 518, 536, 551, 567, 596; 1911, 120, 345, 357, 442, 462, 487; 1912, 124, 533; 1913, 598. (See 1902, 288, 370, 395, 396, 399, 440, 449, 483; 1903, 134, 143, 202, 320, 328, 423, 476; 1904, 110, 210, 267, 373, 396, 441; 1905, 80, 134, 376; 1906, 266, 267, 283, 339, 463 I § 68, 516; 1907, 428; 1908, 390, 599; 1909, 490 III §§ 40–51, 502, 514 § 46; 1910, 171, 558; 1911, 184; 1912, 457, 496, 695; 1913, 765.) Provision for temporary locations. St. 1908, 266; 1910, 518. Issue of stock or bonds for working capital. St. 1906, 463 III §§ 107–112; 1909, 485; 1913, 764. Transportation of milk and cream. St. 1906, 463 II §§ 202, 203; 1908, 278; 1910, 633. And military supplies and equipment. St. 1909, 118.

Act to provide better transportation facilities for western Massachusetts. St. 1913, 765.

Act relative to joint use of tracks by street railway companies. St. 1911, 487. Act relative to pole and wire locations. St. 1911, 442. (See 1911, 509.) Use of names or titles of public service corporations. St. 1913, 499.

Acts relative to hours of labor of employees. St. 1912, 533; 1913, 833.

Acts relative to electric railroad companies. St. 1906, 463 III, 516; 1907, 428, 448; 1908, 301, 450; 1910, 596; 1911, 120, 345, 357, 487. (See 1907, 556; 1908, 552.) Act limiting time of construction. St. 1910, 587.

Provision for purchase of property of foreign companies. St. 1910, 443.

As to elevated railways and subways in and near Boston, see St. 1890, 368, 454 § 12; 1894, 548, 550; 1895, 440; 1900, 258; 1902, 114, 534; 1904, 167; 1906, 213, 520; 1907, 258, 573; 1908, 521, 551; 1909, 383, 455; 1910, 630; 1911, 623, 740, 741; 1912, 644; 1913, 775, 777, 810.

SECTS. 44, 45. See St. 1906, 463 III §§ 79, 80; 1913, 290, 667.

SECT. 72 amended. St. 1906, 479; 1908, 530; 1910, 567.

Chapter 113. — Of Savings Banks and Institutions for Savings.

This chapter is repealed and revised by St. 1908, 590; 1909, 491; 1910, 281, 358, 393, 399, 622; 1911, 211, 228; 1912, 122, 189, 357, 580, 629; 1913, 291. (See 1902, 169, 355, 463, 483, 490; 1904, 200, 208, 210, 374 § 5, 427; 1905, 250; 1906, 66, 204, 347, 377, 463 III §§ 147–150; 1907, 340, 377, 533, 561, 576; 1908, 222, 414, 493, 520, 523; 1909, 399, 419, 490 III §§ 21–23; 1910, 263, 656; 1911, 618; 1912, 173.)

Acts relative to savings deposits in trust companies. St. 1908, 520; 1909, 342; 1911, 337. Stock in Massachusetts trust companies. St. 1912, 189.

Acts relative to proceedings against banks. St. 1910, 399; 1912, 472.

Savings banks may establish life insurance departments. St. 1907, 561; 1908, 222. (See 1907, 576.)

SECT. 3. See St. 1909, 491 § 3.

SECT. 6. See St. 1908, 590 § 9; 1910, 399; 1911, 339.

SECT. 11. See St. 1907, 576 § 61; 1909, 256, 491 § 4; 1911, 344.

SECTS. 14, 31. See St. 1908, 590 § 69.

SECT. 25. See St. 1909, 491 § 7.

SECT. 26. Cl. 7. See 1908, 590 § 68; 1909, 491 § 8; 1910, 358; 1912, 580; 1913, 291.

SECT. 35. See St. 1911, 228.

SECT. 38. See St. 1910, 370.

SECT. 44. See St. 1906, 463 III §§ 79, 80; 1913, 290.

Chapter 114. — Of Co-operative Banks.

This chapter is superseded by St. 1912, 623; 1913, 264. (See 1903, 95, 147, 203; 1904, 292; 1907, 351, 576 § 61; 1909, 419; 1910, 288, 364; 1912, 128.)

Act to authorize the incorporation of credit unions. St. 1909, 419.

Acts relative to unauthorized banking. St. 1906, 377; 1908, 590 § 16; 1909, 491 § 4.

Acts relative to proceedings against banks. St. 1910, 399; 1912, 472; 1913, 177. (See 1911, 618.)

Consolidation of two or more banks authorized and regulated. St. 1904, 392. (See 1906, 204.)

SECT. 1. See St. 1909, 419 § 25.

SECT. 2. See St. 1906, 204 § 4; 1908, 590 § 4; 1909, 490 III § 25, 491 § 2; 1911, 148.

SECT. 3. See St. 1909, 419 § 3.

SECT. 4 amended. St. 1903, 147 § 1; 1912, 623 § 10.

Sect. 7. See St. 1907, 576 § 61; 1909, 256.
Sects. 9, 10 amended. St. 1903, 95 §§ 1, 2; 1912, 623 §§ 14, 18.
Sect. 10. See St. 1907, 576 § 61.
Sect. 11 amended. St. 1910, 288; 1912, 623 §§ 19–21.
Sect. 14. Loans limited. St. 1904, 292. Acts relative to mortgages to co-operative banks. St. 1907, 351; 1913, 369.
Sect. 17 revised. St. 1906, 280; 1912, 623 § 17.
Sect. 24 revised. St. 1903, 203 § 1; 1912, 623 § 35.
Sects. 26–30. See St. 1906, 204 § 3; 1909, 419; 1912, 580.
Sect. 30 amended. St. 1910, 364; 1912, 623 § 38.
Sect. 31 (new section) added. St. 1903, 147 § 2; 1912, 623 § 14. (See 1910, 364.)

Chapter 115. — Of Banks and Banking.

Acts relative to the bank commissioners department. St. 1908, 414, 520 §§ 10, 11, 13, 15, 590 §§ 2–15; 1909, 399, 491; 1910, 393, 399; 1911, 81; 1912, 73, 97, 128, 171, 173, 472, 516, 623, 629; 1913, 177, 264, 294, 409. (See 1906, 204, 377; 1907, 319 §§ 2–4, 377, 561; 1910, 263, 281, 338, 656 § 6; 1911, 184, 228; 1913, 312.)
Board of bank incorporation. St. 1908, 590 § 4; 1909, 491 § 2; 1911, 148.
Act relative to liability for forged negotiable instruments, etc. St. 1912, 277.
Supervisor of loan agencies. St. 1911, 727 § 1; 1912, 675; 1913, 347, 638. (See 1909, 317.)
Provision for registration of public accountants. St. 1909, 399; 1910, 263; 1911, 81.
Acts relative to unauthorized banking. St. 1906, 377; 1908, 590 § 16; 1909, 491 § 4. Acts relative to proceedings against banks. St. 1910, 399; 1912, 472; 1913, 178. (See 1911, 618.) Foreign banking associations or corporations. St. 1906, 66 § 1, 204 § 3, 347; 1910, 343. (See 1902, 463.) Act relative to foreign banking corporations doing business as savings banks. St. 1907, 533; 1909, 491 § 4. (See 1908, 520; 1911, 228.)
Acts regulating business of receiving funds for tickets from or to foreign countries or supply of laborers. St. 1905, 428; 1906, 408; 1907, 377; 1908, 493; 1909, 287 § 1, 450; 1910, 338; 1911, 358; 1912, 335; 1913, 178, 179.
Sect. 3. See St. 1906, 204 § 3.
Sect. 17 *et seq.* See St. 1902, 169 §§ 3, 4; 1908, 590 §§ 19, 20.
Sect. 67. See St. 1906, 204 § 3.
Sects. 90–94. See St. 1907, 576 § 30; 1912, 360.
Sects. 110, 111. See St. 1911, 339.
Sects. 112–115. See St. 1906, 204 § 3.

Chapter 116. — Of Trust Companies.

Acts regulating the incorporation and business of trust companies. St. 1902, 169, 355; 1904, 374; 1905, 189, 331; 1906, 204; 1907, 487; 1908, 520, 590; 1909, 342, 491; 1910, 377, 399; 1911, 228, 337, 389; 1912, 73, 90, 472; 1913, 206, 409. (See 1904, 200; 1908, 590; 1909, 490 III § 37; 1911, 184.)

Acts relative to examinations of trust companies. St. 1907, 319; 1908, 520 § 14; 1912, 73; 1913, 409. Act relative to proceedings against delinquent trust companies and banks. St. 1910, 399.

Acts relative to voluntary associations under written instruments. St. 1909, 441; 1913, 454, 595.

SECTS. 2–6. See St. 1904, 374 §§ 1–5; 1906, 204 § 3; 1908, 590 § 4.

SECT. 3 amended. St. 1909, 491 § 1.

SECT. 5 amended. St. 1907, 487; 1913, 206. Act relative to increase of capital. St. 1905, 189.

SECT. 7 *et seq.* An examining committee required. St. 1908, 520 § 14. (See 1907, 319 § 1.)

SECT. 8 amended. St. 1911, 87.

SECT. 12 amended. St. 1912, 54. (See 1908, 520; 1909, 342.)

SECT. 16 amended. St. 1907, 417. (See 1907, 340 § 2; 1908, 590 § 57; 1910, 370; 1912, 70.)

SECT. 18 amended. St. 1908, 116, 505. Affected. St. 1911, 389.

SECT. 20. See St. 1906, 204 § 4; 1908, 590 § 4; 1909, 491 §§ 2, 8; 1911, 148.

SECT. 28. See St. 1904, 374 § 7; 1905, 331; 1908, 520 § 8; 1910, 377.

SECT. 30 amended. St. 1905, 228.

SECT. 35 amended. St. 1912, 53.

SECT. 36 amended. St. 1907, 320; 1908, 520 § 13. (See 1909, 342 § 2.)

SECT. 37. See St. 1906, 204 § 3.

SECT. 38. See St. 1910, 399 § 12.

Chapter 117. — Of Mortgage Loan and Investment Companies.

Act to regulate bond and investment companies. St. 1904, 427. (See 1906, 204; 1908, 590.)

SECTS. 14, 15. See St. 1906, 204 §§ 3, 4; 1908, 590 §§ 2, 3; 1909, 419.

Chapter 118. — Of Insurance.

This chapter is repealed and superseded by St. 1907, 576; 1908, 81, 151, 162, 165, 166, 170, 248, 436, 471, 473, 482, 509, 511, 646; 1909, 92, 95, 192, 242, 345, 390, 415, 467, 488; 1910, 185, 256, 366, 375, 426, 463, 489, 493, 499, 552, 649; 1911, 51, 205, 251, 292, 315, 329, 344, 361, 406, 429, 493, 751 IV; 1912, 52, 74, 119, 139, 149, 162, 311, 330, 396, 401, 403, 407, 524, 666, 684; 1913, 174, 181, 235, 247, 334, 343, 474, 489, 510, 535, 541, 613, 625, 750. (See 1902, 106, 340; 1903, 174, 223, 307, 421; 1904, 240, 247, 300, 304; 1905, 191, 287, 401; 1906, 271 § 7, 396; 1907, 539, 561; 1908, 222, 463, 563 § 2; 1909, 267, 490 III §§ 26–36, 53; 1910, 179, 235, 559; 1911, 532 §§ 8, 9, 628 §§ 4, 12, 634 §§ 8–10; 1912, 82, 196; 1913, 445, 448, 568, 696.)

Act relative to incorporation of companies on the mutual plan. St. 1911, 251; 1912, 311.

Act to prohibit misrepresentation of terms of policies. St. 1913, 474.

Act relative to amending charters of domestic companies. St. 1912, 139.

Act relative to local collectors. St. 1913, 510.
Act relative to date of life policies. St. 1912, 119.
Pensions for employees authorized. St. 1913, 613.
Massachusetts Employees Insurance Association established. St. 1911, 751 IV. (See 1912, 666.)
Pneumatic machinery to be insured. St. 1913, 629.
Act to permit savings banks to establish life insurance departments. St. 1907, 561; 1908, 222.
Act relative to voluntary exchanges of life policies. St. 1908, 436.
Act relative to change of name of certain corporations. St. 1908, 163.
SECT. 5. See St. 1907, 576 § 5; 1911, 292; 1912, 407, 666.
SECT. 6 *et seq.* See St. 1910, 619 §§ 8–10; 1911, 628 §§ 12–29, 634 §§ 8, 9; 1907, 576 § 6; 1913, 474 § 3.
SECT. 7. See St. 1911, 339.
General insurance guaranty fund established, and a State actuary and medical director provided for. St. 1907, 561 §§ 14–16. (See 1907, 576 § 5.)
Board of appeal for fire insurance rates. St. 1911, 493.
Act relative to preferred claims against insolvent domestic fire insurance companies. St. 1908, 151.
SECT. 29. See St. 1911, 251.
SECT. 36 *et seq.* See St. 1907, 576 § 38 *et seq.;* 1912, 396.
SECT. 55. See St. 1907, 576 § 50 *et seq.;* 1913, 343.

Chapter 119. — Of Fraternal Beneficiary Corporations.

This chapter in part superseded by acts to provide for the control and regulation of fraternal benefit societies. St. 1911, 628; 1912, 82; 1913, 617. (See 1905, 315; 1909, 441; 1910, 98, 649; 1911, 751; 1912, 196; 1913, 411, 454.)
Act to authorize the incorporation of credit unions. St. 1909, 419.
Establishment by employers and employees of retirement, annuity, or pension systems. St. 1910, 559.
SECTS. 1, 2. See St. 1903, 332.
SECT. 6 extended. St. 1911, 111. Domestic corporation may adopt provisions of R. L., ch. 120. St. 1904, 155; 1909, 294. (See 1904, 427 § 7; 1907, 576 § 35; 1909, 514 § 30; 1912, 196.)
SECT. 11 amended. St. 1908, 463. (See 1911, 628 § 33.)
SECT. 12 amended. St. 1903, 332; 1909, 407; 1910, 339. (See 1911, 111.) License under St. 1908, 605 not required. St. 1909, 278. (See 1911, 727.)
Provision for partial payment on death of wife. St. 1904, 271.
SECT. 13 amended. St. 1907, 471. Restriction as to name. St. 1905, 315. Act relative to change of name. St. 1908, 163. Provision for injunction. St. 1910, 98; 1912, 82.
SECT. 14. See St. 1903, 166.
SECT. 15 *et seq.* See St. 1910, 649.
SECT. 16 amended. St. 1907, 472; 1910, 296.
SECT. 17. See St. 1903, 332.

Chapter 120. — Of Assessment Insurance.

SECT. 1. Domestic corporation organized under R. L., ch. 119, may also carry on business under this chapter. St. 1904, 155; 1909, 294; 1912, 196. (See 1904, 427 § 7; 1907, 576 § 35; 1909, 514 § 30; 1910, 339; 1911, 111, 628, 751 IV; 1913, 445, 448, 696.)

Massachusetts Employees Insurance Association established. St. 1911, 751 IV. (See 1912, 196, 571, 666; 1913, 48, 568.)

Act relative to change of name of certain corporations. St. 1908, 163.

SECT. 6. See St. 1904, 155 § 3, 427 § 7.

SECT. 8 is revised. St. 1910, 237.

SECT. 9. See St. 1911, 339.

SECT. 13 amended. St. 1903, 227.

Chapter 121. — Of Gas and Electric Light Companies.

Acts relative to meters used by gas companies. St. 1911, 434, 558; 1913, 254. Use of electric meters. St. 1913, 623.

Acts relative to gas, electric light and power companies. St. 1908, 529, 617; 1909, 316; 1911, 293, 348, 349, 434, 509, 558, 629; 1912, 249. (See 1906, 392; 1910, 187, 197; 1913, 596, 597, 623.) Use of names or titles of public service corporations. St. 1913, 499.

SECT. 1 amended. St. 1907, 316; 1910, 539. (See 1908, 655.)

SECTS. 1–4. Powers and duties of inspector of gas meters transferred to board of gas and electric light commissioners. St. 1902, 228; 1909, 316, 318, 441; 1910, 651; 1911, 509; 1913, 499. (See 1903, 464; 1906, 422; 1909, 483, 490 III § 9; 1911, 184, 558.) Inspectors' salaries. St. 1902, 228 § 6; 1907, 54 § 2; 1908, 536 § 2.

SECT. 3 superseded. St. 1913, 317 §§ 1, 2. (See 1907, 54 § 1; 1908, 536; 1909, 483.)

SECT. 4 superseded. St. 1904, 435.

SECT. 5 *et seq.* See St. 1910, 651; 1913, 499, 508.

SECT. 7 amended. St. 1911, 293. (See St. 1905, 211 § 1.)

SECT. 9. See St. 1906, 422 § 4.

SECT. 10. Acts relative to increase of stock. St. 1908, 534; 1909, 477; 1910, 374. (See 1906, 392, 437.)

SECT. 13. See St. 1910, 187, 197.

SECT. 14. See St. 1908, 529; 1909, 316 § 1; 1910, 124.

SECT. 21. See St. 1903, 320.

SECT. 22. See St. 1906, 392; 1908, 529 § 5; 1909, 316 § 1; 1911, 349.

SECT. 26. See St. 1908, 617.

SECT. 31 amended. St. 1903, 406.

SECT. 32 amended. St. 1912, 249.

SECT. 33 amended. St. 1903, 164.

SECT. 34. See St. 1903, 464.

SECTS. 34, 35 limited. St. 1906, 422 § 10.

SECT. 36 amended. St. 1911, 348.

SECTS. 36–38 affected. St. 1912, 437.

SECT. 40 amended. St. 1908, 243.

Chapter 122. — Of Companies for the Transmission of Electricity.

Acts relative to electric power companies. St. 1908, 529, 617; 1909, 316; 1911, 293, 348, 349, 434, 509, 558, 629.

The Massachusetts highway commission to have general supervision of all companies engaged in the transmission of intelligence by electricity. St. 1906, 433. (See 1909, 402, 490 III §§ 40–44, 52, 62, 542; 1913, 499.)

As to electric railroad companies, see St. 1906, 516; 1907, 428, 448, 556; 1908, 301, 552; 1909, 490 III §§ 40–51; 1911, 442, 481.

Filing and receiving time of telegrams. St. 1909, 402, 542. Use of electric meters. St. 1913, 623.

Responsibility for loss by fire of money in cash recording meters. St. 1911, 434.

Employment of night messengers. St. 1911, 629.

SECT. 1 revised. St. 1911, 509 § 1. (See St. 1903, 320; 1911, 481.)

SECT. 2 revised. St. 1911, 509 § 2. (See 1903, 237; 1906, 117; 1911, 509 §§ 7, 8.)

SECT. 9. See St. 1906, 433.

SECT. 10 affected. St. 1909, 402, 542.

SECT. 12. See St. 1906, 433.

SECT. 17 revised. St. 1911, 509 § 3.

SECT. 19. See St. 1911, 364, 371.

SECT. 20 revised. St. 1911, 509 § 4.

SECT. 23 revised. St. 1911, 509 § 5.

SECT. 24. See St. 1906, 433 §§ 8, 9.

SECT. 27 amended. St. 1908, 233.

SECT. 28 revised. St. 1911, 509 § 6.

Chapter 123. — Of Proprietors of Wharves, Real Estate Lying in Common, General Fields, and Aqueduct Corporations.

SECT. 42 repealed so far as relates to transfer of stock. St. 1903, 423 § 2.

Chapter 124. — Of Agricultural and Horticultural Societies.

SECT. 1 amended. St. 1909, 133; 1912, 260; 1913, 240. Affected. St. 1909, 428.

SECT. 2 *et seq.* Act to encourage and improve the breeding of poultry. St. 1909, 428.

SECT. 3 amended. St. 1913, 213 § 1.

SECT. 6 amended. St. 1907, 189.

SECT. 7 amended. St. 1913, 213 § 2.

Chapter 125. — Of Corporations for Charitable and Other Purposes.

Act relative to change of name. St. 1908, 163.

Act to authorize incorporation of medical milk commissions. St. 1911, 506.

SECT. 2. Charter may be revoked in certain cases. St. 1902, 524; 1907, 336, 337 § 3.

SECT. 4. Act to regulate changes in location of certain corporations. St. 1907, 337. (See 1906, 291 § 10.)
SECT. 5 amended. St. 1910, 181.
SECT. 13. See St. 1902, 430; 1903, 275.
SECTS. 17, 18 in part repealed. St. 1906, 463 I §§ 46, 47, 68. (See 1909, 514 § 135; 1911, 751 II § 12, V § 4.)
SECT. 19 repealed. St. 1906, 463 I §§ 48, 68. (See 1909, 514 § 135.)
SECT. 20 *et seq.* See St. 1904, 248; 1905, 211, 216; 1906, 275; 1910, 567; 1912, 445.
SECT. 22. See St. 1905, 216; 1906, 275.

Chapter 126. — Of Foreign Corporations.

This chapter, except section 8, is repealed so far as it applies to corporations subject to St. 1903, 437. St. 1903, 437 §§ 56–70, 95; 1905, 233, 242; 1906, 346 § 2, 347. (See 1902, 349, 463; 1904, 207, 261, 442; 1905, 156, 222; 1906, 271 § 7, 372; 1910, 343.)
Foreign banking associations or corporations. St. 1906, 66, 204 § 3, 347. (See 1902, 463.)
SECT. 4. See St. 1905, 242; 1906, 269.
SECT. 6. See St. 1903, 437 § 66; 1905, 233.
SECT. 9. See St. 1906, 269.

Chapter 127. — Of the Alienation of Land.

Act to authorize conveyances between husband and wife. St. 1912, 304.
Acts to shorten forms of deeds, etc. St. 1912, 502; 1913, 369.
SECT. 1 affected. St. 1910, 376. (See 1912, 271.)
SECTS. 1–6. Signature of married woman under twenty-one to conveyance of husband's land has same validity as if she were over that age. St. 1902, 478.
Final decree in equity for conveyance of real estate to have force and effect of a deed in certain cases. St. 1910, 376. (See 1911, 284 § 3.)
SECT. 5. See St. 1907, 225.
SECT. 7. See St. 1910, 376.
SECT. 8 amended. "Special commissioners" added. St. 1902, 289.
SECTS. 12–16. See 1907, 294.
SECT. 30. See St. 1912, 360.
SECT. 34 revised. St. 1908, 149. (See 1907, 294; 1909, 160, 198.)

Chapter 128. — Of the Registration and Confirmation of Titles to Land.

Name changed to "Land Court," jurisdiction enlarged and proceedings regulated. St. 1904, 448; 1905, 195, 249, 288; 1906, 50, 344; 1910, 560. (See 1905, 291, 296; 1912, 304, 502; 1913, 815 § 8.)
Act to permit transfer of actions to and from the superior court. St. 1911, 433.
An act relative to the execution of certain decrees in equity. St. 1910, 376.

SECT. 1 amended. St. 1904, 448 § 10; 1905, 249 § 1; 1910, 560 § 3. (See 1906, 344; 1911, 433.)
SECT. 7. See St. 1907, 225 § 3.
SECT. 10. See St. 1908, 195, 469.
SECT. 12. Salaries changed. St. 1904, 386; 1906, 416; 1913, 738. Provision for retirement of judges on a pension. St. 1908, 179.
SECT. 13 revised. St. 1910, 560 § 1. (See 1902, 458; 1904, 448 §§ 3, 8; 1905, 249, 288, 291; 1907, 225 § 3.)
SECTS. 13–17. See St. 1904, 448 § 3; 1905, 249, 288, 291.
SECT. 14. See St. 1910, 376.
SECT. 18 amended. St. 1905, 249 § 2. Affected. St. 1906, 50 § 3. (See 1905, 296 § 2.)
SECT. 28. See St. 1907, 225 § 3.
SECT. 29. See St. 1904, 448 § 6.
SECT. 31. See St. 1907, 204.
SECT. 32 amended. St. 1906, 452 § 1.
SECTS. 34, 36, 37, 40. See St. 1910, 376.
SECT. 35. Compensation of masters. St. 1905, 195.
SECT. 36 amended. St. 1910, 245.
SECT. 37 amended. St. 1910, 560 § 4.
SECT. 38 amended. St. 1911, 9.
SECT. 40. See St. 1904, 448 § 4.
SECT. 55. See St. 1907, 225 § 3.
SECT. 59. See St. 1907, 351; 1909, 160; 1910, 273.
SECT. 61. See St. 1907, 294.
SECT. 62 amended. St. 1905, 296 § 1. Limited. St. 1905, 296 § 2.
SECT. 89. See St. 1904, 317, 443.
SECT. 109. See St. 1905, 249 § 3.

Chapter 129. — Of Estates for Years and at Will.

As to payment of legacy tax on estates where there is an intervening estate for life or a term of years, see St. 1902, 473; 1904, 421; 1907, 563 §§ 4–7; 1909, 490 IV §§ 5–7, 527 §§ 2–4.

Chapter 131. — Of Homesteads.

SECT. 6. See St. 1906, 129.

Chapter 132. — Of the Rights of a Husband in the Real Property of His Deceased Wife, and the Rights of a Wife in that of Her Deceased Husband.

Act relative to conveyances and will of a husband deserted by his wife, or living apart from her for justifiable cause. St. 1906, 129.
SECT. 1. See St. 1902, 482.
SECTS. 4, 5. Signature of married woman under twenty-one is valid. St. 1902, 478.
SECT. 9 amended. St. 1904, 306.

Chapter 134. — General Provisions relative to Real Property.

As to payment of legacy tax on estates where there is an intervening estate for life or years, see St. 1902, 473; 1903, 276 § 1; 1904, 421; 1907, 563 §§ 4–7; 1909, 490 IV §§ 5–7, 527 §§ 2–4.

Acts to provide for short forms for deeds and mortgages. St. 1912, 502; 1913, 369.

SECT. 10. See St. 1912, 271.

SECT. 14. See St. 1910, 376.

SECT. 18. See St. 1907, 351; 1909, 160; 1910, 273.

Chapter 135. — Of Wills.

SECT. 5 amended. St. 1911, 246.

SECT. 7. See St. 1911, 246.

SECT. 12 amended. St. 1902, 160.

SECT. 16. If the probate court decrees that husband has been deserted by wife, or has left her for justifiable cause, wife may not waive provisions of his will. St. 1906, 129 § 1.

SECTS. 22–24. See St. 1909, 198.

Chapter 136. — Of the Probate of Wills and the Appointment of Executors.

SECT. 1 amended. St. 1905, 90.

SECT. 2 amended. St. 1912, 493. (See 1906, 129.)

SECT. 4 amended. St. 1907, 130.

Chapter 137. — Of the Appointment of Administrators.

SECTS. 1, 2. See St. 1909, 490 IV § 22; 1911, 551.

SECT. 6 amended. St. 1911, 588.

SECTS. 10, 11. See St. 1910, 411.

SECT. 13 amended. St. 1908, 153.

Chapter 138. — Of Public Administrators.

SECT. 1 amended. St. 1908, 510, 621; 1913, 246.

SECT. 2 amended. St. 1907, 284 § 1. (See 1910, 411.)

SECTS. 3–5. See St. 1909, 114.

SECT. 10. See St. 1910, 411.

SECTS. 10, 11. Public administrators may be authorized by probate courts to have charge of and to lease or sell real estate. St. 1903, 260 §§ 1, 2; 1905, 124 § 1. Sales made under St. 1903, 260 § 1, ratified. St. 1905, 124 § 2.

Chapter 139. — General Provisions relative to Executors and Administrators.

Act relative to the settlement of estates of deceased persons. St. 1910, 411.

SECTS. 2, 3. See St. 1907, 549.

SECT. 5. See St. 1907, 563 §§ 8, 9, 23; 1909, 527 §§ 5, 9; 1911, 359.

SECT. 6. See St. 1909, 198.

Chapter 140. — Of Allowances to Widows and Children, the Distribution of the Estates of Intestates and of Advancements.

SECT. 3. Cl. 3 amended. St. 1905, 256.

Chapter 141. — Of the Payment of Debts, Legacies and Distributive Shares.

Act relative to suits against executors, administrators, trustees and guardians. St. 1911, 147.

Acts relative to the taxation of legacies and successions. St. 1907, 563; 1909, 268, 490 IV, 527; 1910, 440; 1912, 234, 678.

Attachment of property of a deceased person restricted. St. 1907, 553.

SECT. 2 amended. St. 1904, 165.

SECT. 6 amended. St. 1908, 313.

SECT. 9 *et seq.* Affected. St. 1911, 147. Time limited within which real estate may be taken or sold for payment of debts. St. 1907, 549.

SECT. 13. See St. 1907, 563 § 4; 1909, 490 IV § 4, 527 § 2; 1910, 440.

SECTS. 26, 27. See St. 1911, 147.

Chapter 142. — Of Insolvent Estates of Deceased Persons.

SECT. 1 amended. St. 1909, 297.

SECT. 2 amended. St. 1907, 257.

SECT. 3 amended. St. 1911, 177.

Chapter 143. — Of the Settlement of the Estates of Deceased Non-residents.

SECT. 2 amended. St. 1904, 360. (See 1910, 411.)

Chapter 144. — Of the Settlement of Estates of Absentees.

Acts relative to the settlement of trust estates when beneficiary has disappeared for fourteen years. St. 1905, 326; 1906, 224.

SECT. 1 revised. St. 1903, 241; 1906, 224. (See 1902, 544 § 14.)

SECTS. 3–5, 7, 8. See St. 1902, 544 §§ 15–19; 1903, 241 § 3.

SECT. 4 amended. St. 1904, 206 § 1.

SECTS. 7–9. See St. 1909, 115.

SECT. 9 amended. St. 1906, 175.

SECT. 11 revised. St. 1903, 241 § 2.

SECT. 12. See St. 1902, 544 § 20; 1904, 206 § 2.

Chapter 145. — Of Guardianship.

SECT. 4 amended. St. 1902, 474; 1904, 163. (See 1902, 324; 1908, 286.)

SECT. 6. Repeal and substitute St. 1909, 504 §§ 99, 101, 107; 1911, 206. (See 1907, 169 § 1.)

SECT. 7 amended. St. 1907, 169 § 2.

SECT. 10. See St. 1908, 75.

SECT. 20. Repeal and substitute. St. 1909, 504 §§ 104, 107.

SECT. 23 amended. St. 1906, 452 § 2.

SECT. 25 *et seq.* See St. 1911, 147.

SECT. 28. See St. 1906, 501; 1909, 180; 1911, 456.
SECT. 30 *et seq.* See St. 1908, 75.
SECT. 40 amended. St. 1903, 96; 1905, 127; 1907, 169 § 3; 1908, 116, 505; 1911, 206. (See 1909, 256.)
SECT. 41 amended. St. 1910, 95.

Chapter 146. — Of Sales, Mortgages and Leases of Real Property by Executors, Administrators and Guardians.

Acts to shorten form of deeds, mortgages, etc. St. 1912, 502; 1913, 369.
SECT. 1 *et seq.* Time limited within which real estate may be sold for payment of debts. St. 1907, 549. See St. 1909, 198.
SECT. 13. Repeal and substitute. St. 1909, 504 §§ 102, 107.
SECT. 16. See St. 1912, 360.
SECT. 18 amended. St. 1904, 217; 1906, 73; 1907, 236.
SECT. 25 amended. St. 1907, 219.
SECT. 26. See St. 1909, 160.

Chapter 147. — Of Trusts.

Act relative to suits against trustees. St. 1911, 147.
Act relative to trustees of voluntary associations under written instruments. St. 1909, 441.
SECT. 15 amended. St. 1907, 262.

Chapter 148. — Provisions relative to Sales, Mortgages, etc., by Executors, etc.

Public administrators may be licensed to lease or sell real estate. St. 1903, 260; 1905, 124.
Time limited within which real estate may be sold for payment of debts. St. 1907, 549.
SECT. 3. See St. 1907, 563 §§ 16, 17; 1909, 490 IV §§ 16, 17.
SECT. 5. See St. 1912, 360.
SECT. 11. See St. 1911, 147.
SECT. 14 revised. St. 1907, 447.
SECTS. 14–18. Probate court to have jurisdiction. St. 1903, 222.
SECT. 15. Certain proceedings of probate courts are confirmed. St. 1902, 538.
SECTS. 15, 16. See St. 1911, 588.

Chapter 149. — Of Bonds of Executors, Administrators, Guardians and Trustees.

Provisions of this chapter extended to trustees holding property for public charitable purposes. St. 1908, 295.
SECT. 1. See St. 1909, 256. Cl. 4; see St. 1905, 326 § 7; 1906, 224.
SECT. 6. See St. 1908, 295.
SECT. 9. Limited. St. 1907, 576 § 61; 1909, 256.
SECT. 15 amended. St. 1912, 161.
SECT. 20 *et seq.* See St. 1911, 147.

Chapter 150. — Of the Accounts and Settlements of Executors, Administrators, Guardians, Trustees and Receivers.

Act to regulate disbursements by trustees. St. 1907, 371. (See 1907, 563 §§ 8, 9.)

Act relative to suits against executors, administrators, trustees and guardians. St. 1911, 147.

Trusts for benefit of a city or town to be audited by city or town auditor. St. 1904, 322. (See 1910, 624 § 1.)

Acts relative to the settlement of trust estates when beneficiary has not been heard of for fourteen years. St. 1905, 326; 1906, 224.

SECT. 2. See St. 1909, 490 IV § 23; 1910, 481.

SECTS. 4, 5. See St. 1910, 411.

SECT. 6 revised. St. 1913, 248.

SECT. 8. See St. 1907, 294; 1909, 160.

SECT. 10. See St. 1912, 360.

SECT. 17 amended. St. 1907, 438.

SECT. 20. See St. 1909, 490 IV § 23; 1910, 481; 1911, 191.

SECT. 23. See St. 1910, 370.

SECT. 25 amended. St. 1906, 127.

Chapter 151. — Of Marriage.

Act to authorize conveyances of land between husband and wife. St. 1912, 304.

SECT. 10. See act relating to marriages in another state in evasion of the laws of this state. St. 1913, 360.

SECT. 11. See St. 1902, 324, 474; 1904, 163; 1907, 390.

SECT. 14 revised. St. 1902, 310.

SECT. 16 amended. St. 1911, 736 § 1; 1912, 535. (See 1911, 736 § 6; 193, 360.)

SECT. 17 amended. St. 1912, 120; 1913, 752 § 2. (See 1912, 463, 535; 1913, 360 § 4.)

SECT. 18. See St. 1911, 136.

SECT. 20 amended. St. 1907, 159. (See 1911, 736 § 4.)

SECT. 23 amended. St. 1911, 736 § 2; 1912, 463 § 1. (See 1911, 736 § 4.)

SECT. 25 amended. St. 1911, 736 § 3.

SECT. 37. See St. 1912, 535.

SECT. 40. Advertising to perform or procure performance of marriage ceremony is made punishable. St. 1902, 249.

Chapter 152. — Of Divorce.

Provision for investigation in suits for divorce or nullification. St. 1907, 390.

Fee for service of libel. St. 1913, 611 § 1.

SECTS. 7–8 affected. St. 1911, 121.

SECT. 13 amended. St. 1902, 544 § 21.

SECT. 15 amended. St. 1911, 85.
SECT. 24. See St. 1906, 129.
SECT. 25. Court having jurisdiction may bring before it on *habeas corpus* any child whose care or custody is in question. St. 1902, 324. (See 1902, 474.)
SECT. 37. See St. 1912, 535.
SECT. 39. See St. 1909, 49.
SECT. 41 amended. St. 1911, 127.

Chapter 153. — Of Certain Rights and Liabilities of Husband and Wife.

Act to authorize conveyances of land between husband and wife. St. 1912, 304.
Act relative to conveyances and will of a husband deserted by his wife or living apart from her for justifiable cause. St. 1906, 129.
SECT. 7 amended. St. 1910, 576.
SECT. 10. See St. 1910, 576.
SECTS. 15, 16. See St. 1902, 478; 1908, 75.
SECT. 31 *et seq.* See St. 1906, 501.
SECT. 33. See St. 1902, 324; 1903, 334; 1905, 307; 1906, 129, 501; 1909, 180; 1911, 456; 1912, 310.

Chapter 154. — Of the Adoption of Children and Change of Name.

SECT. 2 amended. St. 1902, 544 § 22; 1904, 302.
SECT. 3 amended. St. 1907, 405.

Chapter 156. — Of the Supreme Judicial Court.

SECT. 5 amended. St. 1905, 263 § 1. (See 1906, 306 § 2, 372, 377 § 2, 433 § 7; 1909, 33; 1913, 719 § 21.)
SECT. 7. Acts relative to exceptions. St. 1908, 177, 516; 1909, 236; 1911, 212; 1913, 716.
SECTS. 15, 16 amended. St. 1903, 54 §§ 1, 2.
SECT. 26 amended. St. 1911, 743 § 1.

Chapter 157. — Of the Superior Court.

Act to permit transfer of actions to and from the land court. St. 1911, 433.
SECT. 1. Number of associate justices increased. St. 1907, 286; 1911, 567. (See 1902, 383; 1903, 472 § 2.)
SECT. 2 amended. St. 1910, 555 § 1. (See 1908, 465.)
SECT. 3. Jurisdiction in certain cases transferred to the land court. St. 1904, 448 § 1; 1906, 50. (See 1903, 383 § 4; 1905, 195, 249, 288, 291; 1906, 344; 1911, 433; 1912, 317.) Provision for issue of *habeas corpus* in disputes as to care or custody of child. St. 1902, 324.
SECT. 4. See St. 1905, 263 § 1; 1906, 433 § 7, 434 § 2; 1908, 380; 1909, 33, 394 § 2, 433 § 4; 1911, 176 § 1, 461; 1912, 159, 394, 649; 1913, 719 § 21.
SECT. 5 repealed. St. 1910, 555 § 3.
SECT. 6. See St. 1905, 288; 1910, 560 § 2.

SECT. 8 repealed. St. 1910, 555 § 3.
SECTS. 9, 10. See St. 1911, 432 § 1.
SECT. 16. See St. 1911, 432 § 2.
SECT. 18. See St. 1907, 334; 1912, 459.
SECT. 21. Acts relative to exceptions. St. 1908, 177, 516; 1909, 236; 1911, 212; 1912, 317.
SECTS. 21, 34, 35. Provision for certain incidental expenses. St. 1907, 80.
SECT. 24. Sessions changed: Barnstable, St. 1902, 456 § 2. Berkshire, 1904, 38; 1912, 606. Essex, 1911, 430. Hampden, 1904, 144; 1907, 26; 1912, 712; 1913, 518. Hampshire, 1911, 254, 483. Middlesex, 1903, 97; 1909, 197. Northampton, 1911, 483. Plymouth, 1903, 54 §§ 3–5. Suffolk, 1902, 456 § 1; 1903, 472 § 1. Evening sessions for naturalization, except in Suffolk. St. 1913, 390.
SECT. 27 amended. St. 1909, 193. (See 1912, 394.)
SECT. 28. See St. 1907, 176; 1909, 504 § 51.
SECT. 29 amended. St. 1912, 209.
SECT. 30 *et seq.* See St. 1908, 465 § 1.
SECT. 32. See St. 1913, 563 § 8.
SECT. 35 amended. St. 1911, 743 § 2. Provision for pensions. St. 1911, 527; 1912, 722.

Chapter 158. — Provisions Common to the Supreme Judicial Court and the Superior Court.

SECT. 4. See St. 1907, 204; 1910, 473; 1911, 136.
SECT. 9 amended. St. 1910, 555 § 2.
SECT. 10 amended. St. 1908, 179; 1910, 540 § 1.
SECT. 11 amended. St. 1910, 540 § 2.

Chapter 159. — Of the Equity Jurisdiction and Procedure of the Supreme Judicial Court and the Superior Court.

Act relative to the execution of certain decrees in equity. St. 1910, 376. (See 1911, 284, 339.) To the granting of injunctions and restraining orders. St. 1913, 515, 840.
Act to permit transfer of actions between the superior and land courts. St. 1911, 433.
SECTS. 1–3. See St. 1903, 383 § 4; 1905, 315; 1906, 306 § 2, 372, 377 § 2; 1908, 380; 1909, 177, 433 § 4; 1910, 98.
SECT. 3 amended. St. 1902, 544 § 23; 1910, 531 § 2.
SECT. 8 amended. St. 1909, 183.
SECTS. 8–10. See St. 1909, 116.
SECT. 11 amended. St. 1905, 107.
SECTS. 15, 16 repealed. St. 1913, 815 § 9.
SECT. 19 amended. St. 1911, 284 § 1. (See 1910, 376; 1911, 339.)
SECT. 21. See St. 1911, 339.
SECT. 30 amended. St. 1911, 284 § 2. (See 1911, 339.)
SECT. 32. See St. 1911, 339.
SECT. 34 amended. St. 1911, 284 § 3.

Chapter 160. — Of Police, District and Municipal Courts.

Act to provide for retirement of justices. St. 1911, 682.

SECT. 1. Jurisdiction extended: Fitchburg, St. 1904, 259; 1910, 258. Lowell, 1904, 264. Lynn, 1911, 414 § 1. (See 1906, 489 § 4; 1907, 137, 411; 1909, 117; 1913, 457.) Limited. St. 1910, 258.

SECT. 2. New courts established: Boston juvenile, St. 1906, 489; 1907, 137, 411. (See 1907, 158, 195.) Fourth Bristol, 1903, 214. Southern Essex, St. 1911, 414 § 1, 473. Third Essex, 1906, 299 § 1. Eastern Hampshire, 1903, 412. Leominster, 1910, 207. Winchendon, 1904, 372 § 1. (See 1906, 240.) Western Worcester, 1902, 416 §§ 1, 2. Districts changed: Eastern Hampden, St. 1907, 110. Lynn, 1909, 117. First and fourth eastern Middlesex, St. 1909, 93. Nantucket, 1913, 508. Newburyport, 1902, 455. Central Worcester, 1902, 186. First and second eastern Worcester, 1902, 161. First northern Worcester, 1907, 98.

SECT. 6 amended. St. 1909, 219; 1911, 473 § 1; 1912, 232.

SECTS. 6, 10, 13. Act to authorize disposal of certain old records. St. 1910, 287.

SECTS. 9–12. Clerk for second Essex, St. 1906, 240. Third Essex, 1912, 412. Central Middlesex, 1905, 133. Williamstown, 1906, 351. Winchendon, 1906, 248. Eastern Worcester, 1905, 192. Second southern Worcester, 1906, 194. Assistant, western Hampden, 1913, 332 § 1.

SECT. 11 amended. Assistant may be a woman. St. 1908, 289. (See 1909, 357; 1912, 672.)

SECTS. 12, 13. Provision for assistant clerks *pro tempore*. St. 1906, 256.

SECT. 15. See St. 1908, 195, 469.

SECT. 24 *et seq.* See St. 1903, 334 §§ 1–3; 1904, 282 § 3; 1906, 105 § 6, 489 § 4; 1908, 335 § 3; 1909, 181; 1911, 175, 176 § 1, 461.

SECT. 25. See St. 1906, 413, 489; 1907, 137; 1908, 286.

SECT. 28 revised. St. 1909, 442.

SECT. 33. See St. 1911, 432 § 1; 1913, 471 § 1.

SECT. 38. See St. 1912, 372.

SECT. 39 *et seq.* Sessions: Winchendon, St. 1904, 372 §§ 3, 4. Western Worcester, 1902, 416 § 4.

SECT. 40 amended. St. 1913, 471 § 3.

SECT. 41 affected. St. 1913, 289 § 2.

SECT. 42 revised. St. 1913, 471 § 4. (See St. 1906, 451; 1910, 534 § 1; 1912, 649 §§ 2, 3.)

SECT. 44 amended. St. 1906, 166.

SECT. 48. See St. 1904, 453 § 5; 1910, 370.

SECT. 55 amended. St. 1912, 649 § 11; 1913, 430. Provision for pensions. St. 1911, 231, 682.

SECT. 56 revised. St. 1907, 179. (See 1908, 440; 1913, 612.)

SECT. 57 extended. St. 1913, 289 § 1. (See 1912, 649 § 12.)

SECT. 58. Additional assistants. St. 1906, 468; 1908, 418; 1912, 649 § 10; 1913, 446. Clerical assistance. St. 1908, 440; 1909, 434. Interpreters. St. 1912, 648.

SECT. 59. Jurisdiction in certain juvenile cases transferred to the Boston juvenile court. St. 1906, 489 § 4. (See 1906, 499 § 5; 1907, 137, 411;

1908, 286; 1911, 175; 1913, 457.) Act relative to jurisdiction and procedure in civil actions. St. 1912, 649.

SECT. 61. See St. 1909, 271; 1910, 370, 373.

SECT. 62 amended. St. 1912, 497. Additional officers. St. 1908, 191; 1912, 253. Provision for temporary court officers. St. 1912, 462.

SECT. 64 amended. St. 1909, 386. (See 1912, 462.) Officers attending sessions to wear uniforms. St. 1902, 368; 1906, 355 § 2. Messenger for municipal court of Boston. St. 1906, 192.

SECT. 65. See St. 1908, 195, 469.

SECT. 66 amended. St. 1908, 191; 1912, 462. (See 1913, 372.)

SECT. 67 in part repealed. Salaries classified and established. St. 1904, 453 §§ 1, 4; 1905, 339; 1906, 355 § 2; 1909, 357; 1910, 501; 1911, 414 § 2; 1912, 604; 1913, 414. (See 1902, 299, 320, 356, 360, 378, 416 § 3; 1903, 214 § 2, 412 § 2; 1904, 372 § 2; 1905, 133, 192; 1908, 637; 1911, 682; 1912, 462.) Boston juvenile, St. 1906, 489 § 2. Charlestown, St. 1909, 367; 1912, 672. Chelsea, 1906, 325. East Boston, 1907, 333. Second Essex, 1906, 240. Central Northern Essex, 1912, 563. Third Essex, 1906, 299 § 2. Franklin, eastern Franklin and eastern Hampshire, 1907, 128. (See 1904, 453 § 2.) Lawrence, 1908, 323. Lee, 1905, 443. Lowell, 1905, 165. Lynn, 1911, 414 § 2. Marlborough, 1913, 483. South Boston, 1907, 324. Williamstown, 1906, 351; 1913, 414. Winchendon, 1904, 372 § 2; 1906, 248. Municipal court of Boston, 1904, 454 § 1; 1905, 452; 1906, 192, 355, 449 § 1, 450, 468; 1908, 418; 1911, 231; 1912, 649 § 10; 1913, 488, 691, 726, 736. (See 1902, 368.) Brighton, 1913, 748. (See 1912, 604.) West Roxbury District, 1912, 660.

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SECT. 70. Compensation of assistant clerks *pro tempore*. St. 1906, 256.

SECT. 71. See St. 1907, 204.

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Chapter 162. — Of Probate Courts.

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SECT. 4. Court may proceed by *habeas corpus* to determine question of care and custody of children in certain cases. St. 1902, 324.

SECT. 5 amended. St. 1910, 100. (See 1902, 538.)

SECT. 19 amended. St. 1907, 266.

SECT. 38 amended. St. 1907, 129.

SECTS. 41, 42. See St. 1913, 815 § 8.

SECT. 47 amended. St. 1905, 229.

SECT. 56. See St. 1911, 136.

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Act to provide for retirement of judges. St. 1910, 540. (See 1906, 474.)

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SECTS. 1, 2 amended. St. 1907, 442 §§ 1, 2; 1908, 541 §§ 1, 2. Special judges in Berkshire and Hampden. St. 1908, 110 § 1. And Franklin and Hampshire. St. 1909, 166. (See 1908, 110 § 2.)

SECT. 5 amended. St. 1904, 401 § 1; 1905, 92; 1912, 322; 1913, 70. (See 1913, 211.)

SECT. 7 amended. St. 1904, 401 § 2; 1906, 59; 1908, 110 § 2; 1913, 211.

SECT. 10 *et seq.* See St. 1913, 835 §§ 339, 391.

SECT. 11. See St. 1908, 195, 469.

SECT. 12 *et seq.* See St. 1907, 563 § 14; 1908, 268; 1909, 271, 490 IV § 14.

SECT. 15. See St. 1907, 225.

SECT. 16. See St. 1909, 271; 1910, 373.

SECT. 17 amended. St. 1904, 286 § 1; 1905, 323; 1907, 207 § 1, 442 § 3; 1908, 231; 1909, 248, 494; 1910, 266; 1912, 332. Assistants may be women in certain counties. St. 1904, 286 § 1; 1907, 207 § 1, 442 § 3; 1908, 231; 1909, 248, 494; 1912, 332, 498.

SECT. 20. See St. 1905, 323; 1908, 231.

SECT. 27 in part repealed. Salaries classified and established. St. 1904, 455 §§ 1, 3; 1906, 265; 1907, 207 § 1, 442 §§ 4, 5; 1908, 541 § 3; 1911, 668;

1912, 332, 584, 585. (See 1906, 59; 1908, 110 § 2.) Amendments: Bristol, 1911, 452; 1912, 160. Dukes, 1912, 378. Middlesex, 1912, 585, 654. Nantucket, 1912, 378. Norfolk, 1912, 585. Suffolk, 1911, 445; 1912, 585. Worcester, 1912, 584. (See 1907, 442 § 4.) Provision for future readjustment of salaries. St. 1904, 455 § 2. (See 1911, 668.) For retirement on pension. St. 1906, 474; 1910, 540. Assistant registers: Berkshire, St. 1913, 791. (See 1904, 286 § 2; 1906, 265.) Essex, St. 1910, 266. Middlesex, 1913, 791. (See 1905, 323 § 1; 1909, 494; 1910, 503.) Norfolk, see St. 1911, 710. Plymouth, 1912, 332. Suffolk, 1913, 791. (See 1908, 231; 1909, 248.) Worcester, 1911, 73; 1912, 498. (See 1909, 431.)

SECT. 28 amended. St. 1904, 286 § 3; 1908, 326, 328. (See 1909, 271.) Limited. St. 1907, 207 § 2. In part repealed. St. 1909, 331 § 2.

SECT. 29. Amount increased: Berkshire, St. 1904, 286 § 3; 1908, 328. Bristol, 1902, 412; 1908, 327; 1912, 353. Essex, 1904, 281; 1908, 374. Franklin, 1909, 331 § 1. Hampden, 1910, 335. (See 1907, 206.) Hampshire, 1908, 326. Middlesex, 1913, 386. (See 1904, 387; 1909, 353.) Norfolk, 1905, 183. Plymouth, 1904, 219; 1908, 319. Suffolk, 1908, 396. (See 1909, 271.) Worcester, 1909, 384; 1910, 329.

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Chapter 165. — Of Clerks, Attorneys and Other Officers of Judicial Courts.

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SECT. 20 amended. St. 1910, 94.

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SECT. 31 amended. St. 1908, 253. (See 1909, 271.)

SECTS. 31, 32. See St. 1910, 370.

SECT. 33 amended. St. 1909, 165.

SECT. 34 superseded. Salaries classified and established. St. 1904, 451 §§ 1, 2; 1911, 299. (See 1902, 462.) Changes. St. 1905, 179.

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SECT. 35 superseded. Salaries classified and established. St. 1904, 451 §§ 1, 3; 1907, 145 § 2, 253. Hampden. St. 1911, 174. (See 1902, 358, 499, 513; 1903, 137, 472 § 3.) Middlesex. St. 1911, 382. (See 1909, 232.) Norfolk. St. 1913, 747. Suffolk superior. St. 1902, 499; 1905, 380;

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SECT. 38. Provision for certain incidental expenses of the superior court. St. 1907, 80.

SECTS. 40, 41 revised. St. 1904, 355 §§ 1, 2. (See 1907, 443; 1909, 49.)

Act relative to collection agencies. St. 1910, 656.

SECT. 43 revised. St. 1904, 355 § 3.

SECT. 44 *et seq.* See St. 1904, 458 § 5; 1907, 443.

SECT. 48. See St. 1907, 490.

SECT. 52 amended. St. 1904, 348. May act in any county. St. 1906, 187. (See 1905, 110; 1906, 180; 1909, 235.)

SECT. 60 amended. St. 1911, 237.

SECT. 63 amended. St. 1908, 358 § 1.

SECT. 67 superseded. St. 1909, 230. (See 1908, 358 § 2.)

SECT. 68 *et seq.* See St. 1913, 501.

SECT. 69 in part superseded. St. 1907, 133. Officers may serve venires and processes in certain cases. St. 1907, 312.

SECT. 72 *et seq.* Tenure of office. St. 1906, 147; 1911, 322; 1912, 134.

SECT. 73 amended. St. 1911, 302, 322.

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SECT. 76 amended. St. 1906, 470; 1907, 459.

SECT. 81 amended. St. 1904, 145.

SECT. 83 revised. St. 1912, 289.

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Act relative to granting of injunctions and restraining orders. St. 1913, 515, 840.

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SECT. 5. See St. 1907, 204; 1910, 473; 1911, 136.

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SECT. 18. See St. 1903, 442; 1906, 527.

SECT. 21 (new section) added. St. 1905, 340.

Chapter 167. — Of the Commencement of Actions and the Service of Process.

Act relative to fees for service of civil process. St. 1913, 611.

Act to require certain non-residents to appoint agents upon whom service of legal process may be made. St. 1908, 528.

SECT. 1. See St. 1911, 339.

SECT. 2 amended. St. 1913, 644. (See St. 1906, 201, 269; 1907, 332; 1911, 70.)

SECT. 3. See St. 1909, 33.

SECT. 6. See 1904, 320; 1909, 514 § 145; 1910, 63 § 1.
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SECT. 25 amended. St. 1908, 338.
SECT. 27. See St. 1906, 201.
SECT. 28 amended. St. 1906, 201. (See 1906, 269; 1907, 332; 1911, 70.)
SECTS. 30–33 affected. St. 1909, 116.
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SECT. 35 amended. St. 1913, 309.
SECT. 36. Extended to certain foreign corporations. St. 1907, 332; 1913, 257. (See 1908, 528; 1911, 70.)
SECT. 38 *et seq.* Attachment of property of deceased persons is restricted. St. 1907, 553. (See 1911, 751 II § 21; 1913, 832 § 8.)
SECT. 39 in part repealed. St. 1906, 463 I §§ 61, 68.
SECT. 56 amended. St. 1907, 546 § 2.
SECT. 59. See 1907, 334; 1912, 459.
SECT. 60 superseded. St. 1913, 611 §§ 1, 18.
SECT. 62 amended. St. 1907, 370.
SECTS. 66–68 repealed. St. 1910, 531 § 1. (See 1910, 171 § 13; 214 §§ 24, 33.)
SECT. 69. See St. 1907, 490.
SECT. 80 amended. St. 1907, 453.
SECT. 82. See St. 1912, 271.
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SECT. 27 amended. St. 1911, 192 § 4. (See 1911, 192 § 5.)
SECT. 33. See St. 1909, 490 II § 29.
SECT. 41 amended. St. 1906, 203 § 2.
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SECT. 75 amended. St. 1911, 150.
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SECT. 52 amended. St. 1911, 275.
SECT. 55 revised. St. 1911, 305. (See 1905, 271; 1910, 538; 1913, 68.)
SECTS. 57–67 repealed. St. 1913, 815 § 9. (See 1909, 206, 225; 1911, 593; 1912, 276.)
SECT. 76 repealed. St. 1906, 342 § 1.
SECT. 79 amended. St. 1911, 497.
SECT. 81 repealed. St. 1912, 542. (See 1904, 448 § 9; 1905, 286.)
SECT. 96 amended. St. 1906, 342 § 2; 1910, 555 § 4. (See 1912, 649 § 9.)
SECT. 97 amended. St. 1906, 451; 1910, 534 § 1. (See 1911, 175.)
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SECT. 98 amended. St. 1910, 534 § 2.
SECT. 99 amended. St. 1910, 534 § 3.
SECT. 105 amended. St. 1910, 555 § 5. (See 1913, 716 §§ 2–5.)
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SECTS. 106–111. Acts relative to exceptions in certain cases. St. 1906, 342 § 3; 1908, 177, 516; 1909, 236; 1911, 212, 497, 501.

SECT. 108 amended. St. 1912, 317.
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SECTS. 1–5, 11–15. Jurisdiction transferred to the land court. St. 1904, 448 § 1; 1905, 249 § 4. (See 1905, 249, 288, 291; 1906, 50, 344; 1909, 160; 1911, 433.)

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SECT. 15 amended. St. 1906, 219 § 2. (See 1909, 160.)

SECT. 37. See St. 1907, 294; 1909, 160.

Chapter 189. — Of the Trustee Process.

SECT. 1 extended. St. 1906, 269; 1911, 70. (See 1912, 649 § 1.)

SECT. 5. See St. 1913, 309, 611 § 1.

SECT. 6. See St. 1906, 201.

SECT. 19. See St. 1905, 324; 1910, 214 §§ 24, 33, 559 § 3.
SECT. 27. See St. 1910, 559 § 3.
SECT. 34 superseded. St. 1909, 514 §§ 125, 145; 1910, 563; 1911, 727 § 22; 1912, 675 § 6. (See 1905, 308; 1906, 390; 1908, 605 §§ 7, 8; 1909, 278, 317; 1911, 751 II § 21; 1913, 347, 638, 832 § 8.)
SECT. 65. See St. 1905, 110; 1906, 187; 1911, 150.

Chapter 190. — Of the Replevin of Property.

SECT. 17 amended. St. 1911, 150.

Chapter 191. — Of Habeas Corpus.

Provision for issue of writ of *habeas corpus* in cases of divorce, nullity of marriage, separate support or care and custody of children. St. 1902, 324.
SECT. 48. See St. 1908, 286.

Chapter 192. — Of Audita Querela, Certiorari, Mandamus and Quo Warranto.

SECTS. 1, 4, 8. See St. 1911, 339.
SECT. 4 amended. St. 1902, 544 § 27.

Chapter 195. — Of the Improvement of Meadows and Swamps.

See St. 1913, 633, 759.

Chapter 196. — Of Mills, Dams and Reservoirs.

SECT. 4 amended. St. 1905, 259.
SECT. 16. See St. 1912, 360.
SECT. 30. See St. 1905, 266.

Chapter 197. — Of Liens on Buildings and Land.

SECT. 10 amended. St. 1908, 127. (See 1912, 649 § 1.)
SECT. 12. In part superseded. St. 1913, 611 §§ 1, 18.
SECT. 28 amended. St. 1906, 223; 1909, 237 § 1. Extended to personal property liens. St. 1907, 490 § 1. (See 1911, 150.)

Chapter 198. — Of Mortgages, Conditional Sales and Pledges of, and Liens upon, Personal Property.

Provisions for dissolution of certain liens. St. 1907, 490.
This chapter applies to bills of sale of personal property intended as security. St. 1913, 656.
SECTS. 5, 8. See St. 1911, 727 § 15.
SECT. 6. See St. 1912, 271.
SECT. 8. See St. 1910, 171 § 13, 214 §§ 37, 39.
SECTS. 11–13. See St. 1912, 271.
SECTS. 23–26. See St. 1907, 490.
SECTS. 23–30. See St. 1912, 649 § 1; 1913, 300.
SECT. 28. See St. 1904, 242; 1911, 129.

Chapter 199. — Of Recognizances for Debts.

SECT. 10. See St. 1911, 150.

Chapter 200. — Of Seizing and Libelling Forfeited Property.

SECT. 13. See St. 1913, 569 § 4.

Chapter 201. — Of Claims against the Commonwealth.

SECT. 1 amended. St. 1905, 370 § 1. (See 1907, 340 § 2; 1908, 590 § 57; 1912, 70; 1913, 68, 624.)

SECT. 2 revised. St. 1910, 645. (See 1905, 370 § 2; 1908, 288; 1909, 204; 1910, 555 § 3.)

Chapter 202. — Of the Limitation of Actions.

SECT. 4 amended. St. 1902, 406; 1913, 435. (See 1905, 266; 1911, 147.)

Chapter 203. — Of Costs in Civil Actions.

SECT. 1. See St. 1902, 298; 1906, 463 I § 30 *et seq.* (See 1902, 253; 1904, 350; 1912, 382.)

SECT. 26 amended. St. 1904, 413.

Chapter 204. — Of the Fees of Certain Officers.

SECT. 2 amended. St. 1904, 350 § 1; 1909, 186; 1913, 38 § 1. (See 1913, 563.)

SECT. 2 *et seq.* Fees to be paid into county treasury. St. 1904, 453 § 5.

SECT. 5 amended. St. 1913, 38 § 2.

SECT. 6 amended. St. 1902, 253; 1904, 350 § 2; 1912, 382.

SECT. 10 superseded. St. 1913, 611 §§ 1, 18. (See 1907, 327; 1910, 248.)

SECTS. 11, 12 superseded. St. 1913, 611 §§ 1, 3, 18. (See 1905, 336 § 1; 1912, 184.)

SECT. 14 amended. St. 1910, 317.

SECT. 15 superseded. St. 1913, 611 §§ 6, 18.

SECT. 17 amended. St. 1903, 256; 1908, 353.

SECTS. 21, 39, 44. See St. 1907, 158.

SECT. 24. See St. 1912, 648.

SECT. 25 amended. St. 1908, 121; 1911, 736 § 5.

SECT. 29 amended. St. 1908, 365; 1910, 273. (See 1907, 294; 1908, 372 § 2; 1909, 160; 1912, 502 § 25.)

SECT. 33. See St. 1913, 611 § 16.

SECTS. 37, 38 superseded. St. 1913, 611 §§ 14, 15, 18.

SECT. 39. See 1907, 327; 1910, 248.

SECT. 43. See St. 1910, 248.

SECT. 47 amended. St. 1910, 311.

Chapter 205. — Of the Rights of Persons accused of Crime.

Act relative to the examination of persons arrested for criminal offences. St. 1913, 236, 728.

Sheriff of any county except Suffolk may remove prisoners to and from jail and house of correction. St. 1909, 312.

SECT. 1. See St. 1906, 293.

SECT. 4. Male and female prisoners not to be placed in same dock at same time in certain cases. St. 1904, 218.

Chapter 206. — Of Crimes against the Sovereignty of the Commonwealth.

Act to protect the uniform of the United States. St. 1911, 460.

Parading of foreign troops authorized in certain cases. St. 1906, 198.

SECT. 5 amended. St. 1913, 464, 604. (See 1907, 232 § 2; 1908, 229; 1909, 60.)

Act relative to carrying or displaying of certain flags. St. 1913, 678, 818.

Chapter 207. — Of Crimes against the Person.

Speed and operation of automobiles and motor vehicles on highways regulated. St. 1903, 473 §§ 6–11; 1907, 203, 408, 580; 1908, 648; 1909, 534. (See 1902, 315; 1905, 311, 366; 1906, 353, 412; 1908, 263, 467, 642; 1910, 516.)

Act to regulate use of hatpins. St. 1913, 256.

Sale of wood alcohol regulated. St. 1905, 220.

Unreasonable neglect to support wife and minor children made punishable. St. 1906, 501; 1909, 180. Throwing glass in highway. St. 1913, 214.

SECT. 17 amended. St. 1911, 84.

SECT. 28. See St. 1906, 386 §§ 2–4.

Chapter 208. — Of Crimes against Property.

Act to regulate sale and lease of machinery, tools, implements and appliances. St. 1907, 469.

Provision for protection of property, etc., used by commissioners on fisheries and game. St. 1906, 327.

Stealing tools of mechanics, etc., is made punishable. St. 1907, 500 § 1.

Fraudulent conversion of property by captains of vessels. St. 1907, 389.

Unauthorized performance of certain dramatic and musical compositions. St. 1904, 183. Fraudulent advertisements for labor or help. St. 1908, 217; 1909, 514 § 27; 1910, 445.

Wilful printed misrepresentations as to merchandise. St. 1902, 397; 1907, 383. (See 1910, 378; 1912, 651; 1913, 709.)

As to trading stamps or similar devices, see St. 1903, 386; 1904, 403; 1906, 523.

Sale of merchandise in bulk is restricted. St. 1903, 415.

Penalty for giving false or insufficient weight or measure. St. 1907, 394; 1911, 163.

Wanton destruction or injury of personal property by means not mentioned in this chapter is punishable. St. 1904, 305.

The corrupt influencing of agents, employees or servants is punishable. St. 1909, 514 § 28. (See 1904, 343 § 1.)

SECTS. 7, 8 amended. St. 1912, 419 §§ 1, 2. (See 1908, 209 § 1; 1911, 244.)

SECTS. 18, 19 affected. St. 1911, 176 § 2; 1911, 461.

SECT. 25 *et seq.* False pretences to constitute larceny in certain cases. St. 1910, 378; 1913, 312.

SECT. 26 amended. St. 1906, 261 § 1.

SECTS. 26, 27. See St. 1902, 397; 1907, 383, 389.

SECT. 30 amended. St. 1910, 389. Repealed. St. 1911, 126.

SECT. 35. See St. 1912, 271.

SECT. 37 amended. St. 1906, 181.

SECT. 38 amended. St. 1913, 551.

SECT. 40 repealed. St. 1902, 544 § 28.

SECT. 44 amended. St. 1911, 216.

SECT. 51. See St. 1903, 415.

SECT. 55 amended. St. 1910, 516.

SECT. 60. Provision to prohibit unauthorized use of certain registered insignia, badges, etc. St. 1909, 514 § 32. (See 1902, 430; 1903, 275; 1904, 335; 1907, 232 § 3; 1908, 417 § 2.) And society titles, etc. St. 1908, 280.

SECT. 61 amended. St. 1902, 544 § 29. (See 1902, 397.)

SECT. 65. Act to prohibit false marking of articles made of gold or metal resembling gold. St. 1907, 460. False statements to stock exchanges as to mining stocks. St. 1911, 492.

SECTS. 69, 70. See St. 1912, 271.

SECTS. 71, 72. See St. 1910, 378.

SECT. 73. See St. 1903, 415.

SECT. 74. See St. 1910, 214 §§ 44–50.

SECT. 80. See St. 1906, 327.

SECTS. 85, 86. See St. 1904, 370 § 4, 390; 1905, 280 § 3; 1906, 463 III § 85.

SECT. 86 revised. St. 1904, 396; 1906, 463 I § 66. (See 1908, 495.)

SECT. 91. See St. 1911, 173.

SECTS. 91, 99, 105, 106, 111, 121. See St. 1904, 444 §§ 2, 3.

SECT. 99 amended. St. 1904, 444 § 1.

SECT. 100 amended. St. 1902, 544 § 30. (See 1905, 279 § 3.)

SECTS. 101, 102 amended. St. 1902, 544 §§ 31, 32. (See 1905, 279 § 3; 1908, 297 § 2.)

SECT. 103 repealed. St. 1908, 296 § 5.

SECT. 104 amended. St. 1905, 279 § 2. (See 1908, 296 § 2; 1910, 321.)

SECT. 106 amended. St. 1902, 544 § 33.

SECT. 108. See St. 1902, 57; 1905, 381; 1906, 268; 1909, 263; 1911, 474.

SECTS. 109, 113. See St. 1906, 327; 1912, 372; 482.

SECT. 112 amended. St. 1905, 434. Extended. St. 1911, 194; 1913, 404.

Sect. 115. See St. 1903, 158.

Sects. 117, 118. See act to prohibit misuse of vessels used in sale of milk. St. 1906, 116.

Sect. 120 revised. St. 1905, 241.

Sect. 121. See St. 1912, 372.

Chapter 209. — Of Forgery and Crimes against the Currency.

Sect. 1 amended. St. 1909, 155 § 1.

Sect. 3 amended. St. 1909, 155 § 2.

Chapter 210. — Of Crimes against Public Justice.

Act to prohibit soliciting employment by attorneys at law. St. 1907, 443. (See 1909, 49; 1911, 85.)

Sects. 1–5. See St. 1912, 719 § 9.

Sect. 10. See St. 1913, 830 § 6.

Sects. 14, 19. Act to prohibit conveying drugs or other articles to prisoners. St. 1905, 258.

Sect. 17. See St. 1907, 362.

Sect. 22 amended. St. 1909, 255.

Chapter 211. — Of Crimes against the Public Peace.

Sect. 9. The carrying of a pistol without a license, and of certain other weapons, made punishable. St. 1906, 172 § 2; 1908, 350, 583; 1911, 548 § 3; 1912, 391. (See 1911, 283.)

And sale of certain pistols and explosives. St. 1910, 565. And sale or rent of firearms. St. 1911, 495. Act to define extent to which peaceful persuasion is permitted. St. 1913, 690.

Sect. 11 repealed. St. 1911, 244 § 4. (See 1908, 209; 1911, 244 § 1.)

Sect. 13 (new) added. St. 1911, 283. And repealed. St. 1911, 548 § 4.

Chapter 212. — Of Crimes against Chastity, Morality, Decency and Good Order.

Act relative to offences against chastity. St. 1910, 424.

Act relative to admission of persons under seventeen to dance halls and roller skating rinks. St. 1906, 384.

Uniform desertion act. St. 1911, 456.

An act to require the use of underwater exhausts or mufflers on certain motor boats. St. 1909, 245. Power boats must show lights at night in certain waters. St. 1910, 397.

Act to protect the uniform of the United States. St. 1911, 460.

Advertising to perform or procure performance of marriage ceremony is punishable. St. 1902, 249. Failure to support wife or minor child. St. 1906, 501; 1908, 104; 1909, 180; 1911, 456. False or fraudulent advertisements for labor or help. St. 1908, 217; 1909, 514 § 27. (See 1910, 445.)

Act relative to the receiving of alms in public places in the city of Boston. St. 1909, 538.

SECT. 2 amended. St. 1910, 424 § 1.
SECT. 5 amended. St. 1913, 469.
SECT. 6 amended. St. 1910, 424 § 2.
SECT. 8 amended. St. 1910, 424 § 3.
SECT. 9 amended. St. 1910, 424 § 4.

Receiving earnings of and soliciting for a prostitute made punishable. St. 1910, 424 §§ 5–8.

SECT. 16 amended. St. 1905, 316.
SECT. 20 amended. St. 1904, 120; 1913, 259. (See 1908, 386; 1913, 472.)
SECT. 23 revised. St. 1910, 367.
SECT. 36. See St. 1912, 372.
SECT. 37 revised. St. 1905, 384 § 1. (See 1905, 384 § 2.)
SECT. 39 revised. St. 1913, 620. (See St. 1910, 316, 356.)
SECT. 40. See St. 1908, 440; 1913, 612.
SECT. 41. See St. 1906, 291 § 10.
SECT. 43. See St. 1911, 372; 1912, 283.
SECT. 45 amended. St. 1905, 307; 1906, 501; 1908, 104; 1909, 180; 1911, 456. (See 1905, 338; 1906, 129.)
SECT. 46. See St. 1903, 209; 1904, 224; 1906, 282; 1907, 251; 1909, 538 § 2; 1910, 316, 347, 356; 1911, 176 § 2.
SECT. 47. See St. 1910, 424 § 8; 1912, 372.
SECT. 53 amended. St. 1906, 403. Extended. St. 1910, 436. (See 1910, 424 § 8; 1912, 372, 482.)
SECTS. 54, 55. See St. 1910, 316.
SECTS. 56, 57. See St. 1904, 274, 318; 1905, 344, 348; 1908, 568.
SECT. 58. See St. 1908, 568.
SECTS. 58, 59, 60. See St. 1910, 248, 316.
SECT. 61 amended. St. 1913, 114.
SECT. 70 *et seq.* See acts relative to disabled or diseased horses. St. 1906, 185; 1907, 363; 1908, 133; 1913, 281. See also, St. 1909, 302.
SECT. 73. See St. 1907, 490.
SECT. 76. See St. 1912, 384.
SECT. 86 *et seq.* See St. 1913, 182.
SECT. 89. See St. 1908, 335.

Chapter 213. — Of Crimes against the Public Health.

Act to restrict the use of common drinking cups. St. 1910, 428. To regulate sale of unwholesome food. St. 1913, 687.

Provision for cleanliness of vessels from which milk is sold. St. 1906, 116, 323; 1908, 435, 570; 1909, 531; 1910, 462; 1913, 761. For regulating use of boats or bathing suits in great ponds. St. 1910, 400.

Spitting in certain public places and conveyances a punishable offence. St. 1906, 165; 1907, 410; 1908, 150. Throwing glass in highway. St. 1913, 214.

SECT. 2 amended. St. 1912, 263; 1913, 585. Sale or gift of certain harmful medicines, drugs, etc., restricted. St. 1906, 386; 1907, 180; 1908, 307; 1909, 375; 1910, 387, 541; 1911, 30, 289, 341, 372; 1912, 263, 283;

1913, 272, 704. (See 1902, 327; 1903, 410; 1905, 220; 1908, 525 § 3; 1910, 172 § 1, 271, 416, 495; 1913, 722.) Deleterious confectionery. St. 1913, 265.

Manufacture or sale of cocaine or articles containing cocaine. St. 1910, 387. (See 1906, 386 § 4; 1908, 307; 1909, 375; 1910, 416, 495.) Advertisements describing certain diseases. St. 1908, 386.

SECT. 3 amended. St. 1909, 346 § 1.

SECT. 4 revised. St. 1913, 647.

SECT. 9 revised. St. 1913, 650.

Chapter 214. — Of Crimes against Public Policy.

Provision against false or fraudulent advertisement for labor or help. St. 1908, 217. False returns to commissions. St. 1911, 184. Misuse of foreign flags. St. 1912, 197. (See 1913, 464, 604, 678, 818.) Throwing glass in highway. St. 1913, 214.

Act to provide for safe keeping of matches in stores. St. 1909, 184. To prohibit liberating or flying fire balloons. St. 1910, 141. Regulating use of hatpins. St. 1913, 256. To prohibit manufacture, sale or use of explosive golf balls. St. 1913, 722.

To restrict picking wild berries or flowers or picnicking during certain months in Barnstable or Plymouth county. St. 1910, 478.

Acts relative to monopolies and discriminations in sale of articles or commodities in common use. St. 1908, 454; 1911, 503; 1912, 651; 1913, 709.

Act to require use of underwater exhausts or mufflers on certain motor boats. St. 1909, 245. Power boats must show lights at night in certain waters. St. 1910, 397.

Driving vehicle at night without a light. St. 1911, 578 §§ 5, 6.

Acts relative to use of moving picture machines and cinematographs. St. 1905, 176, 437; 1908, 565, 566.

Carrying a pistol without a license or other weapon is punishable. St. 1906, 172 § 2; 1908, 350, 583; 1911, 548; 1912, 391. And sale of certain pistols and explosives. St. 1910, 565. Sale or renting of firearms. St. 1911, 495. Act to define extent to which peaceful persuasion is permitted. St. 1913, 690.

Unsigned political advertisements and contributions in certain cases. St. 1907, 581; 1908, 483; 1910, 55; 1911, 422. Advertisements describing certain diseases. St. 1908, 386. Publishing false or exaggerated statements of affairs of corporations, partnerships, etc. St. 1911, 428. As to mining stocks. St. 1911, 492.

Wilful printed misrepresentations as to merchandise or commodities. St. 1902, 397; 1907, 383; 1912, 489. (See 1909, 399 § 4.) And unauthorized or fraudulent use of certain insignia, badges, names or titles. St. 1904, 335; 1907, 232 § 3; 1908, 280, 417.

Act relative to the receiving of alms in public places in the city of Boston. St. 1909, 538.

Act relative to lease and sale of machinery, tools, implements and appliances. St. 1907, 469.

Illegal shooting or hunting. St. 1905, 317; 1907, 198; 1908, 402, 484; 1909, 262, 362. (See 1910, 478.) Unlicensed renting of boats or bathing suits in great ponds. St. 1910, 400.

Names of persons conducting business must be recorded in certain cases. St. 1907, 539; 1908, 316.

As to trading stamps or similar devices, see St. 1903, 386; 1904, 403; 1906, 523.

Act to prohibit bucketing and to abolish bucket shops. St. 1907, 414.

Corrupt influencing of agents, employees or servants is punishable. St. 1904, 343. (See 1911, 151; 1912, 533 § 3.) Act relative to sale of paint, turpentine and linseed oil. St. 1908, 531.

Act to prohibit soliciting employment by attorneys at law. St. 1907, 443. (See 1909, 49; 1911, 85.)

SECT. 2 amended. St. 1907, 366; 1913, 370.

SECT. 29 extended. St. 1902, 397; 1903, 386.

Chapter 215. — Of Felonies, Accessories and Attempts to commit Crimes.

SECT. 6, cl. 4 repealed. St. 1911, 130.

Chapter 216. — Of Proceedings to prevent the Commission of Crimes.

SECT. 2. See St. 1913, 471 § 1.

SECT. 15. The carrying of a loaded pistol without a license, and of certain other weapons, made punishable. St. 1906, 172 § 2; 1908, 350, 583; 1911, 548; 1912, 391. (See 1910, 565.)

SECT. 22. See St. 1913, 471 § 1.

Chapter 217. — Of Search Warrants, Rewards, Fugitives from Justice, Arrest, Examination, Commitment, Bail and Probation.

Reports to be made of injuries of persons arrested. St. 1913, 236, 728.

SECT. 1. See St. 1904, 367 § 2; 1905, 347 § 1.

SECTS. 3–8. See St. 1905, 347 § 1.

SECT. 7 amended. St. 1908, 370.

SECT. 11 *et seq.* Provision for identification of criminals. St. 1906, 293. (See 1905, 459; 1909, 504 §§ 50, 51.)

SECT. 22 *et seq.* See St. 1912, 372, 482; 1913, 471 §§ 1, 2.

SECT. 24 revised. St. 1912, 269.

SECT. 25. See St. 1909, 504 § 50.

SECTS. 29, 30. See St. 1906, 489 § 7.

SECT. 33 *et seq.* See St. 1912, 325.

SECT. 34. See St. 1906, 413 § 5; 1908, 286; 1911, 176 § 2.

SECT. 35 amended. St. 1904, 164. (See 1903, 236.)

SECTS. 44–48. See St. 1911, 160.

SECT. 52. Male and female defendants not to be placed in same dock in certain cases. St. 1904, 218 § 1.

SECT. 56 amended. St. 1912, 226. (See 1905, 110; 1906, 180, 187.)

SECTS. 56–60. See act relative to applications for bail to masters in chancery. St. 1909, 235; 1911, 150.

Sect. 62 revised. St. 1906, 180. (See 1906, 187.)
Sect. 65. See St. 1906, 413 § 5; 1908, 286.
Sect. 70. See St. 1910, 370.
Sect. 77 amended. St. 1906, 221; 1911, 160. (See St. 1910, 370.)
Sect. 79 amended. St. 1903, 236 § 1.
Sect. 81 amended. Additional probation officers. St. 1905, 295; 1906, 329; 1907, 261; 1908, 190, 637; 1909, 216; 1910, 332; 1911, 116, 470; 1912, 664. Bond required. St. 1913, 120. And deposit of surplus moneys. St. 1913, 121.
Sect. 81 *et seq.* See St. 1906, 489 § 6; 1907, 223; 1908, 465, 637; 1910, 275; 1911, 8; 1913, 120, 121, 612.
Sect. 82 amended. St. 1910, 275; 1911, 8.
Sects. 82, 83 affected. St. 1908, 637.
Sects. 83, 86. See St. 1906, 291 § 10.
Sect. 84 amended. St. 1911, 8. (See 1908, 440; 1911, 456 §§ 5, 6, 8; 1912, 264; 1913, 612.)
Sect. 84 *et seq.* Provision for restitution or reparation in certain cases. St. 1907, 335. (See 1905, 338; 1906, 413 § 9.)
Sects. 85–90 repealed. St. 1908, 465 § 6. Provision for a commission on probation, and certain duties of probation officers. St. 1908, 465; 1912, 187. (See 1902, 196; 1908, 637; 1909, 216, 514 § 26; 1911, 8, 456; 1912, 310.)
Sect. 91 amended. St. 1910, 485.
Sect. 92 amended. St. 1910, 479. Provision for pensions. St. 1912, 723.
Sect. 94 amended. St. 1906, 440.

Chapter 218. — Of Indictments and Proceedings before Trial.

Act to authorize compensation in certain cases to persons confined while awaiting trial. St. 1911, 577.
Sect. 15. See St. 1906, 413 § 11.
Sect. 38. Act to provide that false pretences shall constitute larceny in certain cases. St. 1910, 378.
Sect. 58. See St. 1907, 158.
Sect. 60. See St. 1912, 325.

Chapter 219. — Of Trials and Proceedings before Judgment.

Male and female prisoners not to be placed in same dock in certain cases. St. 1904, 218.
Reports to be made of injuries of persons arrested. St. 1913, 236, 728.
Sect. 7 amended. St. 1909, 49.
Sects. 11, 12 repeal and substitute. St. 1909, 504 §§ 103, 107; 1910, 345; 1911, 604. (See 1904, 257; 1909, 274; 1911, 273.)
Sect. 13. See St. 1912, 325.
Sect. 14. See St. 1911, 176 § 2, 461.
Sect. 16 repeal and substitute. St. 1909, 504 §§ 104, 107. (See 1911, 595.)

SECT. 22 amended. St. 1905, 319; 1913, 652. (See 1906, 413 § 5; 1909, 504 § 51; 1911, 176 § 2; 1912, 325.)
SECTS. 27, 28. See St. 1910, 316.
SECT. 28 revised. St. 1909, 381; 1910, 244.
SECT. 32. See St. 1913, 563 § 2.
SECT. 35. See St. 1908, 177, 516; 1909, 236; 1911, 212; 1912, 317.

Chapter 220. — Of Judgment and Execution.

Provision for compensation in certain cases to persons confined while awaiting trial. St. 1911, 577.
SECT. 1 revised. St. 1912, 154; 1913, 653. (See 1905, 338; 1906, 413 § 5, 501 § 3; 1907, 335; 1908, 104; 1911, 456.)
SECT. 1 *et seq.* See St. 1910, 316.
SECTS. 3–7 affected. St. 1911, 176 § 2.
SECT. 4 amended. St. 1902, 544 § 34.
SECTS. 5, 14. See St. 1909, 312.
SECT. 7 amended. St. 1911, 179.
SECTS. 15, 16. Sentences to reformatory prison for women regulated. St. 1903, 209 §§ 1–3; 1906, 282; 1907, 251; 1910, 347. (See 1910, 316; 1911, 595; 1913, 471 § 2.)
SECT. 16 amended. St. 1904, 224; 1906, 282; 1907, 251.
SECT. 18. See St. 1906, 413 § 8; 1911, 176 § 2, 265.
SECT. 20. See St. 1906, 261 § 2; 1910, 356.
SECT. 21 amended. St. 1904, 303. (See 1910, 316.)
SECT. 27 amended. St. 1908, 232. (See 1910, 316, 356.)
SECT. 29 revised. St. 1907, 252; 1910, 356.
SECTS. 30, 31. See St. 1910, 316, 356; 1911, 176 § 2.
SECTS. 40, 44. See St. 1911, 274.

Chapter 221. — Of Fines and Forfeitures.

SECT. 2 amended. St. 1911, 250 § 1. (See 1909, 534 § 30; 1910, 525; 1911, 250 § 2.)

Chapter 222. — Of the Board of Prison Commissioners.

Provision for retiring and pensioning prison officers. St. 1908, 601; 1911, 673. Act to create boards of parole and an advisory board of pardons. St. 1913, 829.
Provision for hospital for prisoners having tubercular disease. St. 1905, 355; 1906, 243; 1911, 194. For identifying certain persons held in prison. St. 1904, 241; 1905, 459; 1906, 293; 1910, 360. For storage facilities. St. 1911, 195.
SECT. 1 amended. St. 1908, 230; 1913, 829 § 8.
SECT. 3. See St. 1902, 196; 1903, 209 §§ 4, 5, 212, 452; 1905, 355, 459 § 2; 1906, 243, 293, 302; 1908, 230, 601; 1909, 514 § 26; 1910, 360, 454; 1911, 195, 451, 595; 1912, 562, 565; 1913, 759 § 4.
SECT. 6. See St. 1905, 311 § 6; 1906, 412 § 5; 1907, 408.
SECT. 7. See St. 1906, 291 § 10.

Chapter 223. — Of the State Prison, the Massachusetts Reformatory and the Reformatory Prison for Women.

Sect. 3. Provision for retiring and pensioning prison officers. St. 1908, 601; 1911, 673. For release of certain prisoners on parole. St. 1911, 451; 1912, 103; 1913, 829. Hours of labor. St. 1909, 514 §§ 53–55. (See 1908, 547.) Assistant deputies. St. 1910, 454. Removal of insane prisoners. St. 1909, 504 § 105; 1911, 604. (See 1910, 345; 1911, 273.)

Sect. 6. See St. 1908, 195. Certain advances authorized. St. 1908, 178. (See 1907, 466; 1909, 218.)

Sects. 8, 10. See St. 1908, 469.

Sect. 14. See St. 1905, 355; 1906, 243, 302.

Sect. 17 amended. St. 1906, 242.

Sect. 19. Salary changed: Deputy warden. St. 1911, 467. Physician and surgeon. St. 1908, 426. Watchmen. St. 1910, 430; 1911, 542. Engineer. St. 1913, 436. (See 1902, 454.)

Sect. 20. See St. 1910, 356.

Act providing for departments for defective delinquents. St. 1911, 595.

Sect. 21. Assistant deputy. St. 1910, 454.

Sects. 23, 25. See St. 1908, 469, 601.

Sect. 24. See St. 1907, 466; 1908, 195; 1910, 356.

Sect. 27 amended. St. 1910, 430; 1911, 542; 1912, 588; 1913, 496.

Sect. 28. Sentences regulated. St. 1903, 209; 1906, 282; 1907, 251; 1910, 347. (See 1913, 471 § 2.) Name changed. St. 1911, 181. (See 1904, 224; 1906, 282; 1910, 316, 345; 1911, 595.)

Sect. 29 amended. St. 1912, 380 § 1. (See St. 1906, 302.) Assistant deputy. St. 1910, 454.

Sect. 31. See St. 1908, 469.

Sect. 34. See St. 1907, 466; 1908, 195.

Sect. 37 repealed. St. 1904, 205 § 1.

Sect. 39 amended. St. 1909, 303; 1912, 380 §§ 2, 3; 1913, 675.

Sect. 46. See St. 1912, 562.

Chapter 224. — Of Jails and Houses of Correction.

Provision for inspection of jails, prisons, etc. St. 1910, 405; 1911, 282.

For compensation in certain cases to persons confined while awaiting trial. St. 1911, 577.

Certain advances authorized. St. 1912, 77.

Sect. 5. Sheriff of any county except Suffolk may transfer prisoners from jail to house of correction, or *vice versa*. St. 1909, 312.

Sect. 16 *et seq.* See St. 1908, 601; 1909, 312; 1911, 673.

Sect. 18. See St. 1905, 231; 1908, 547; 1909, 514 § 53.

Sect. 20 superseded. St. 1909, 514 §§ 55, 145.

Sect. 24. See St. 1906, 150; 1908, 469.

Sect. 26. See St. 1906, 302.

Sects. 30, 31. See St. 1909, 271; 1912, 77.

Sect. 31. See St. 1908, 195.

Sects. 34–37 repealed. St. 1904, 211.

Chapter 225. — Of the Officers and Inmates of Penal and Reformatory Institutions, and of Pardons.

Provision for compensation in certain cases to persons confined while awaiting trial. St. 1911, 577.

Provision for retiring and pensioning prison officers. St. 1908, 601; 1911, 673. For boards of parole and an advisory board of pardons. St. 1913, 829.

SECT. 1. See St. 1910, 454.

SECT. 6. See St. 1910, 316.

SECTS. 7–9. See St. 1907, 466; 1908, 195.

SECT. 9. See St. 1905, 211 § 1.

SECTS. 9–11. See St. 1911, 181; 1912, 597.

SECT. 10 amended. St. 1904, 214.

SECT. 11 *et seq.* Hours of labor and number of employees. St. 1909, 514 §§ 53–55. (See 1905, 231; 1908, 547; 1913, 633.)

Act relative to making goods for use of public institutions by labor of prisoners. St. 1910, 414. Reclaiming and cultivating land. St. 1913, 633, 759 § 4.

SECT. 18 revised and extended. St. 1904, 241 § 1; 1905, 459 § 1; 1906, 293; 1910, 360.

SECTS. 20, 21. See St. 1906, 293; 1911, 181.

SECT. 28 amended. St. 1903, 207.

SECT. 29 revised. St. 1905, 244.

SECT. 37 repealed. St. 1911, 193.

SECT. 41. See St. 1909, 312.

SECTS. 43–46. Provision for storage facilities. St. 1911, 195. (See 1912, 565 § 3.)

SECT. 44. See St. 1912, 597.

SECT. 45 amended. St. 1912, 565 § 1. Affected. St. 1910, 414. (See 1912, 565 §§ 2–4; 1913, 724.)

SECT. 51 amended. St. 1903, 213.

SECT. 52. See St. 1912, 565 § 3.

SECT. 54. See St. 1910, 414 § 2.

SECT. 55 repealed. St. 1910, 414 § 6.

SECT. 57. See St. 1911, 195.

SECT. 65. See St. 1906, 243; 1908, 469; 1911, 194.

SECT. 66 repealed. St. 1904, 243. (See 1905, 258; 1911, 194.)

SECT. 67. See St. 1908, 195.

SECT. 72 amended. St. 1904, 363 § 1.

SECT. 72 *et seq.* See St. 1905, 464; 1912, 562.

SECT. 80 *et seq.* See St. 1905, 355; 1906, 243, 302. Board may delegate to the chairman authority to remove and transfer prisoners. St. 1908, 230. (See 1909, 312.)

SECT. 86. See St. 1906, 282; 1907, 251; 1910, 347.

SECT. 89 extended. St. 1909, 312.

SECT. 96 amended. St. 1905, 240.

SECT. 100. See St. 1905, 355 §§ 2, 3; 1906, 243, 302; 1911, 273.

SECTS. 101–103. Repeal and substitute. St. 1909, 504 §§ 105, 106; 1910, 345. (See 1906, 472; 1909, 274; 1911, 273.)

SECTS. 107–111. See act relative to expense of removing prisoners. St. 1906, 324.

SECT. 108 revised. St. 1903, 354. (See 1906, 324.)

SECT. 115. Acts relative to release of certain prisoners on parole. St. 1911, 451; 1912, 103; 1913, 829. (See 1912, 158.)

SECT. 117 amended. St. 1906, 244.

SECT. 119 amended. St. 1909, 132 § 1.

SECT. 120 amended. St. 1909, 132 § 2.

SECT. 121 amended. St. 1902, 227; 1912, 158. (See 1902, 196; 1911, 8.)

SECT. 128 amended. St. 1908, 251.

SECT. 129 revised. St. 1903, 452. (See 1903, 209 § 5; 1910, 347.)

SECT. 131. See St. 1906, 243 § 2.

SECT. 132 affected. St. 1913, 349, 829.

SECT. 136 amended. St. 1903, 212; 1909, 295; 1913, 492. (See 1909, 514 § 26.)

SECT. 137 amended. St. 1905, 235; 1909, 295.

II

CHANGES IN THE GENERAL LAWS

PASSED SINCE THE ENACTMENT OF THE "REVISED LAWS"

Statutes of 1902.

Chap.

55 See 1906, 487. R. L. 6.
57 Affected, 1905, 381; 1906, 268; 1907, 521. § 2 repealed, 1905, 381 § 10. (See 1909, 263; 1910, 150; 1911, 242, 474.) R. L. 25, 26, 53, 101.
85 See 1905, 122; 1908, 441; 1911, 356. R. L. 92.
90 Repealed, 1907, 560 §§ 20, 456. (See 1903, 279 §§ 5, 16.) R. L. 11.
91 Superseded, 1909, 490 I § 83; 1913, 226. R. L. 12.
106 Superseded, 1907, 576 §§ 15, 122; 1911, 429 § 4. R. L. 118.
108 Repealed, 1906, 171 § 3. (See 1903, 253; 1911, 90.) R. L. 32.
109 Affected, 1907, 311. R. L. 25.
111 See 1909, 490 I § 49. R. L. 12.
112 Superseded, 1909, 490 I § 17. R. L. 12.
113 Superseded, 1909, 490 I § 15. (See 1911, 75.) R. L. 12.
114 See 1902, 534. R. L. 112.
115 Amended, 1911, 397. R. L. 62.
116 §§ 1–3 superseded, 1912, 608 §§ 1–4. (See 1909, 474; 1911, 297 § 6, 381 § 1.) R. L. 75, 89, 90.
127 § 1 amended, 1907, 250 § 2. R. L. 92.
137 Amended, 1906, 314 § 2. (See 1903, 205; 1906, 263 § 1.) R. L. 91.
138 See 1902, 178; 1904, 367; 1906, 179 § 2, 255. R. L. 56, 91.
142 §§ 2, 3 repealed, 1904, 433 § 3. (See 1903, 365 § 1; 1904, 370; 1910, 328.) R. L. 32, 108.
154 § 1 superseded, 1905, 245. (See 1910, 545 § 3; 1913, 552.) R. L. 92.
157 Repeal and substitute, 1907, 560 §§ 200, 456. (See 1903, 454 § 9; 1905, 386 § 6; 1911, 436.) R. L. 11.
158 Superseded, 1905, 465 §§ 87, 194. (See 1908, 604.) R. L. 16.
165 Superseded, 1905, 406; 1906, 303. (See 1904, 366 §§ 2, 3; 1909, 262.) R. L. 92.
169 Superseded, 1908, 590 §§ 19, 20, 29, 37, 69. R. L. 113.

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171 § 1 amended, 1905, 206 § 1; 1911, 83. R. L. 100.
177 Superseded, 1907, 139 § 2, 276. (See 1903, 120; 1905, 149; 1911, 294.) R. L. 6.
178 See 1904, 367; 1906, 179 § 2; 1907, 198, 299; 1908, 255, 488; 1910, 548; 1911, 614, 722 § 3. R. L. 91.
183 Superseded, 1909, 514 §§ 66, 145. (See 1911, 241.) R. L. 106.
187 § 1 amended, 1910, 554 § 1. § 2 amended, 1910, 193. § 3 amended, 1910, 554 § 2. (See 1906, 291 § 4.) R. L. 102.
189 § 1 amended, 1909, 258. (See 1907, 238.) R. L. 75.
190 § 2 superseded, 1902, 544 §§ 10, 35. R. L. 75.
192 Affected, 1904, 381; 1907, 43; 1909, 468. § 4 superseded, 1909, 468 § 1; 1912, 549. (See 1903, 420 § 1; 1904, 381 § 1; 1908, 405.) R. L. 79.
196 See 1908, 465 § 3. R. L. 217.
206 § 1 amended, 1906, 365 § 4. § 2 superseded, 1906, 365 § 2. (See 1902, 213; 1907, 183.) R. L. 75.
211 Repealed, 1903, 279 § 18. R. L. 11.
213 § 1 amended, 1907, 386 § 1; 1909, 380. § 2 amended, 1907, 386 § 2. (See 1904, 395 § 2; 1907, 183; 1909, 391.) R. L. 75.
216 See 1904, 381 § 1; 1909, 468. R. L. 79.
225 Superseded, 1907, 560 §§ 93, 456; 1908, 428. (See 1902, 492.) R. L. 11.
226 Amended, 1904, 127. (See 1904, 283.) R. L. 20, 102.
227 Amended, 1912, 158. R. L. 225.
228 §§ 3, 4 superseded, 1909, 483 §§ 5, 6. § 5 superseded, 1909, 318, 483 § 7. § 6 superseded, 1909, 483 § 8. (See 1903, 464; 1907, 54 § 2; 1908, 536 § 2; 1912, 233.) R. L. 58, 121.
230 Amended, 1913, 622. (See 1902, 272; 1905, 275.) R. L. 9, 75.
246 Affected, 1903, 280; 1904, 244. R. L. 47.
250 Superseded, 1909, 468 §§ 3, 17; 1913, 323. (See 1902, 292; 1904, 381 §§ 17, 18.) R. L. 79.
251 Superseded, 1904, 381 § 3; 1909, 468 § 3. R. L. 79.
253 Amended, 1904, 350 § 2; 1912, 382. R. L. 204.
256 Amended, 1913, 779 § 5. R. L. 46.
288 Superseded, 1906, 463 III §§ 38, 158. R. L. 112.
292 Superseded, 1904, 381 § 17; 1909, 468 § 17. R. L. 79.
298 Superseded, 1906, 463 I §§ 30, 31, 37, 68. (See 1902, 440; 1905, 408.) R. L. 111.
299 Superseded, 1904, 453 §§ 1, 6. R. L. 160.
312 § 1, see 1903, 220 § 1; 1909, 471, 474, 476; 1911, 297; 1912, 248. § 2 amended, 1903, 220 § 2; 1908, 329 § 6; 1912, 248 § 2. R. L. 75, 90.
313 In part superseded, 1905, 327. R. L. 66.
314 Amended, 1906, 413 § 3. R. L. 86.
315 Repealed, 1903, 473 § 15. (See 1905, 311, 366; 1906, 353; 1909, 534 §§ 14–16; 1910, 525, 605; 1913, 803.) R. L. 47, 52, 102.
320 Superseded, 1904, 453 §§ 1, 6. R. L. 160.

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321 See 1907, 140, 190, 308; 1910, 172 § 2. R. L. 76, 100.
322 Superseded, 1909, 514 §§ 78, 145. (See 1907, 537 § 5.) R. L. 106.
324 See 1902, 474; 1904, 163; 1907, 390. R. L. 145, 151, 152.
325 § 2, see 1911, 350. R. L. 27.
327 Amended, 1908, 525 § 3; 1910, 172. (See 1906, 281; 1907, 140, 190, 308; 1908, 238, 307.) R. L. 76.
336 Superseded, 1910, 348 § 1. (See 1904, 439; 1905, 465 § 14; 1908, 604 § 14.) R. L. 16.
340 Repealed, 1907, 576 § 122. R. L. 118.
342 § 1 superseded, 1909, 490 I § 23. (See 1909, 439 § 1, 516, § 2; 1911, 383 § 2; 1913, 458.) § 2 superseded, 1909, 490 III § 40. (See 1903, 437 §§ 71, 95; 1909, 439 § 2.) § 3 superseded, 1909, 490 III § 41. (See 1906, 463 II § 212; 1909, 267 § 2, 439 § 2.) § 4 superseded, 1909, 490 III § 42. (See 1909, 439 § 3.) § 5 superseded, 1909, 490 III § 45. (See 1909, 439 § 4.) R. L. 13, 14.
346 Superseded, 1907, 560 §§ 359, 456; 1909, 174; 1912, 473. R. L. 11.
348 Superseded, 1907, 560 §§ 60, 456. (See 1902, 512.) R. L. 11.
349 See 1906, 372; 1909, 490 II § 21, III § 58. R. L. 126.
350 Superseded, 1909, 514 § 74; 1912, 479. (See 1911, 455; 1913, 806.) R. L. 104, 106.
355 § 2 revised, 1908, 520 §§ 4, 15; 1909, 491 § 2; 1911, 148. (See 1906, 204 § 4.) R. L. 113, 116.
356 Superseded, 1904, 453 §§ 1, 6. R. L. 160.
358 Superseded, 1904, 451 § 3. R. L. 165.
359 Superseded, 1912, 561. R. L. 23.
360 Superseded, 1904, 453 § 1. R. L. 160.
364 Amended, 1908, 496, 508, 561; 1910, 66. In part repealed, 1913, 721. R. L. 5.
368 § 1 amended, 1906, 355 § 2. R. L. 160.
370 Superseded, 1906, 463 III §§ 103, 158. (See 1902, 441; 1903, 437 §§ 14–16, 27; 1908, 636; 1909, 369; 1910, 536.) R. L. 112.
374 Amended, 1909, 440 § 2. (See 1909, 490 I §§ 4, 7.) R. L. 12.
375 See 1909, 490 I §§ 7–9, 12. R. L. 12.
378 Superseded, 1904, 453 § 1. R. L. 160.
383 § 1 superseded, 1903, 472 § 2; 1907, 286; 1911, 567. R. L. 157.
384 Superseded, 1909, 514 §§ 45, 145. (See 1904, 334; 1907, 560 § 447.) R. L. 11, 106.
391 See 1907, 524; 1909, 177. R. L. 75.
395 Repealed, 1906, 463 III §§ 66, 158. R. L. 112.
396 Repealed, 1906, 463 III § 158. R. L. 112.
397 Repealed, 1912, 489 § 2. (See 1907, 383.) R. L. 214.
399 Repealed, 1906, 463 III §§ 7, 64, 65, 158. (See 1906, 339; 1908, 266.) R. L. 112.
402 Superseded, 1906, 463 I §§ 2, 68. (See 1904, 96.) R. L. 111.
406 Amended, 1913, 435. R. L. 202.
411 Superseded, 1902, 544 §§ 4, 35; 1904, 451 § 1, cl. H. R. L. 20.
412 Increase, 1908, 327; 1912, 353. R. L. 164.

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414 Amended, 1908, 126, 273; 1911, 328. (See 1907, 577; 1908, 333, 343; 1909, 423 § 5; 1910, 327.) R. L. 98.
416 § 3 in part superseded, 1904, 453 § 1. R. L. 160.
423 Superseded, 1909, 490 II § 44; 1911, 370. (See 1905, 193 § 1.) R. L. 13.
430 Repealed, 1904, 335 § 3. (See 1903, 275; 1909, 514 § 32.) R. L. 72, 106, 208.
432 Superseded, 1906, 463 I §§ 2, 68. (See 1904, 429; 1906, 417.) R. L. 111.
433 In part superseded, 1906, 200; 1908, 427; 1911, 537; 1913, 396. (See 1913, 779 §§ 1, 4.) R. L. 42.
435 Superseded, 1909, 514 §§ 48, 145. (See 1908, 645.) R. L. 106.
436 Superseded, 1913, 637. R. L. 23.
438 § 1 affected, 1909, 67. R. L. 9.
440 Superseded, 1906, 463 I §§ 29–45, 68. (See 1902, 298, 507; 1905, 408; 1908, 372 § 2; 1909, 429.) R. L. 111.
441 In part repealed, 1903, 437 §§ 27, 95. R. L. 109.
443 Superseded, 1909, 490 II §§ 61, 62. (See 1905, 325 § 2.) R. L. 13.
446 Superseded, 1909, 514 §§ 11, 145. (See 1904, 313 § 1.) R. L. 106.
449 Superseded, 1906, 463 III §§ 60–63, 158. (See 1906, 218.) R. L. 34, 112.
450 Superseded, 1909, 514 §§ 112, 145. (See 1906, 427; 1907, 193; 1908, 650.) R. L. 106.
453 § 2 amended, 1908, 304; 1910, 219 § 1. § 3 amended, 1910, 219 § 2. R. L. 57.
454 Superseded, 1908, 426. R. L. 223.
457 Superseded, 1907, 534 § 2; 1910, 465; 1911, 632. R. L. 62.
458 Superseded, 1910, 560 § 1. (See 1904, 448 §§ 3, 8; 1905, 249, 288.) R. L. 128.
462 Superseded, 1904, 451 § 1. R. L. 165.
463 Repealed, 1906, 347 § 5. (See 1906, 66 § 1, 204 § 3; 1908, 590 § 4; 1910, 343.) R. L. 115, 126.
471 Superseded, 1905, 157 §§ 3, 5; 1906, 460 § 2; 1910, 439. R. L. 7.
473 Superseded, 1907, 563 §§ 6, 26; 1909, 527 §§ 3, 8. (See 1903, 276; 1907, 452; 1908, 624; 1909, 490 IV §§ 6, 20; 1912, 678.) R. L. 15.
474 Amended, 1904, 163. R. L. 145.
483 Superseded, 1908, 590 § 68; 1909, 491 § 8. (See 1904, 210; 1906, 204, 463 III §§ 147–149, 158.) R. L. 112, 113.
485 § 4 affected, 1906, 291. R. L. 100.
490 Superseded, 1906, 204 § 2; 1908, 590 § 3. R. L. 113.
492 Superseded, 1907, 560 §§ 93, 456; 1908, 428. R. L. 11.
493 Superseded, 1905, 465 § 180. (See 1908, 604 § 196.) R. L. 16.
495 Superseded, 1912, 507. (See 1907, 321; 1909, 444. Res. 1911, 103.) R. L. 89.
499 See 1904, 451 § 3; 1905, 380; 1908, 259. R. L. 165.
505 § 2 superseded, 1907, 399. § 3 amended, 1903, 228. (See 1903, 249 § 1.) R. L. 76.

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506 Superseded, 1907, 560 §§ 109, 456. (See 1904, 179.) R. L. 11.
507 In part repealed, 1906, 463 I §§ 44, 68. R. L. 111.
512 Superseded, 1907, 560 §§ 60, 456; 1909, 440 § 2; 1911, 243. R. L. 11.
513 Superseded, 1904, 451 § 3. (See 1908, 259.) R. L. 165.
521 See 1906, 258, 393. R. L. 48.
523 § 1 in part superseded, 1906, 109 § 2; 1908, 497. R. L. 4.
524 Affected, 1906, 291 § 4. R. L. 100, 102.
526 See 1912, 371, § 3. R. L. 49.
530 Superseded, 1905, 157 §§ 2, 5; 1911, 485. (See 1910, 310 § 2.) R. L. 7.
531 § 1 amended, 1906, 151; 1910, 419. R. L. 65.
533 Superseded, 1906, 463 I §§ 23, 68. (See 1908, 542; 1909, 47.) R. L. 111.
534 Limited, 1907, 573 § 17. § 6 amended, 1907, 258. (See 1904, 167.) R. L. 112.
537 Repealed, 1907, 560 § 456. (See 1903, 425, 426, 450, 453, 474; 1905, 386; 1906, 444.) R. L. 11.
539 See 1909, 310; 1913, 503. R. L. 62.
542 Repealed, 1909, 504 § 107. (See 1905, 400; 1911, 334.) R. L. 87.
544 § 2 repealed, 1907, 560 § 456. R. L. 11. § 4 in part superseded, 1904, 451 § 1. § 11 amended, 1905, 190. (See 1909, 377; 1910, 469.) R. L. 91. § 13 superseded, 1906, 463 II §§ 193, 258. R. L. 111. § 14 superseded and §§ 15–19 repealed, 1903, 241. (See 1904, 206 § 1; 1906, 224; 1909, 115.) § 20 repealed, 1904, 206 § 2. R. L. 144. § 22 amended, 1904, 302. R. L. 154. § 23 amended, 1910, 531 § 2. R. L. 159. § 32 affected, 1905, 279 § 3; 1908, 297 § 2. R. L. 208. § 34, see 1903, 209 § 1. R. L. 220.

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95 Superseded, 1912, 623 §§ 14, 18. R. L. 114.
96 Amended, 1905, 127; 1907, 169 § 3. (See 1908, 116.) R. L. 145.
97 Amended, 1909, 197. R. L. 157.
100 Amended, 1904, 283; 1911, 392. R. L. 102.
102 § 2 affected, 1904, 288 § 1. § 3 amended, 1904, 143 § 1. R. L. 19.
109 Repealed, 1907, 121. R. L. 6.
116 See 1910, 90. R. L. 25.
120 Superseded, 1905, 149; 1907, 139 § 2, 276; R. L. 6.
122 Repeal and substitute, 1912, 527. (See 1904, 332; 1907, 66.) R. L. 57, 89.
134 Superseded, 1906, 463 III §§ 90, 158; 1911, 345. R. L. 112.
137 See 1904, 451 § 3. R. L. 165.
143 Superseded, 1906, 463 III §§ 74, 158. (See 1905, 376 § 1.) R. L. 112.
147 Superseded, 1912, 623 § 10. (See 1910, 364.) R. L. 114.
151 Superseded, 1908, 604 § 68. (See 1905, 202, 465 § 64.) R. L. 16.
157 Amended, 1909, 440 § 3; 1909, 490 I § 41. (See 1907, 576 § 19.) R. L. 12.

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158 See 1905, 158. R. L. 28, 48.
161 Superseded, 1909, 490 I § 10. (See 1908, 499 § 5; 1909, 243; 1911, 135 § 3.) R. L. 12.
162 Superseded, 1910, 472. (See 1903, 244; 1905, 414; 1907, 99; 1909, 508 §§ 1, 3.) R. L. 92.
171 § 1, see 1908, 195; 1913, 224. R. L. 45.
173 Superseded, 1906, 463 I §§ 7, 68. (See 1904, 265; 1906, 266; 1908, 599.) R. L. 111.
174 Superseded, 1907, 576 §§ 46, 122; 1909, 390. R. L. 118.
179 Superseded, 1907, 323; 1911, 454. R. L. 160.
202 Superseded, 1906, 463 III §§ 41, 158; 1907, 402. (See 1904, 441.) R. L. 112.
203 Superseded, 1912, 623 § 35. R. L. 114.
205 Superseded, 1909, 377. (See 1906, 263 § 1.) R. L. 91.
206 Superseded, 1908, 441. (See 1909, 272; 1910, 365.) R. L. 92.
209 Affected, 1906, 282 § 2; 1907, 251 § 1. (See 1911, 176 § 2.) §§ 2, 3 amended, 1910, 347. (See 1904, 224; 1906, 282 § 1; 1907, 251 § 2; 1910, 316.) R. L. 220.
212 Amended, 1913, 492. (See 1909, 295.) R. L. 225.
214 § 2 in part superseded, 1904, 453 § 1, cl. G. R. L. 160.
216 § 3 amended, 1912, 131. (See 1909, 469.) R. L. 91.
219 Amended, 1905, 289 § 2. R. L. 76.
220 § 1 amended, 1909, 471, 476; 1911, 297 § 5; 1912, 248 § 1. § 2 amended, 1908, 329 § 6; 1912, 248 § 2. (See 1912, 603; 1913, 570.) R. L. 56, 75.
222 Affected, 1907, 447. R. L. 148.
223 Superseded, 1907, 576 §§ 11, 122; 1911, 54. (See 1905, 287.) R. L. 118.
226 Superseded, 1912, 3. (See 1904, 263; 1905, 169; 1906, 493; 1909, 490 I § 5; 1910, 123, 137.) R. L. 6.
229 § 1, see 1908, 195; 1910, 473. R. L. 18.
236 See 1904, 164. R. L. 217.
237 Superseded, 1911, 509 § 2. (See 1906, 117.) R. L. 122.
241 § 1 amended, 1906, 224. (See 1904, 206 § 1; 1909, 115.) R. L. 144.
245 Superseded, 1909, 396. (See 1905, 419; 1907, 307; 1908, 377; 1909, 362; 1910, 545; 1912, 388; 1913, 529.) R. L. 92.
246 Amended, 1913, 439. R. L. 91.
247 Superseded, 1908, 604 § 162; 1911, 594 § 1. (See 1905, 465 § 145.) R. L. 16.
248 Superseded, 1907, 563 §§ 4, 26; 1909, 490 IV § 21, 527 §§ 2, 3, 8. R. L. 15.
249 § 1 amended, 1906, 503 § 1. § 4 amended, 1906, 503 § 2. § 5 amended, 1911, 199. § 8 amended, 1907, 314 § 1. (See 1906, 503 § 3.) § 9 amended, 1907, 314 § 2. R. L. 76.
251 Superseded, 1907, 563 §§ 7, 26; 1909, 490 IV § 5, 527 § 8. (See 1904, 421.) R. L. 6, 15.
253 Affected, 1906, 171. § 1 amended, 1911, 90. R. L. 32.

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256 See 1908, 353. R. L. 204.
260 § 1 amended, 1905, 124 § 1. R. L. 138.
274 Superseded, 1911, 285. (See 1907, 306.) R. L. 91.
275 Repealed, 1904, 335; 1909, 514 §§ 32, 145. (See 1907, 232 § 3.) R. L. 72, 208.
276 Superseded, 1907, 563 §§ 6, 26; 1909, 527 § 3. (See 1907, 452; 1909, 490 IV § 6.) R. L. 15.
279 Superseded, 1907, 560 §§ 69–76. (See 1903, 474; 1904, 245, 294; 1905, 318; 1906, 291, 444; 1907, 387, 429.) R. L. 11.
280 § 2 revised, 1904, 244 § 1. R. L. 47.
283 § 1, see Res. 1905, 2. R. L. 6.
287 Amended, 1907, 250 § 1. (See 1908, 484; 1909, 362.) R. L. 92.
291 Affected, 1905, 211 § 1. R. L. 9.
294 Superseded, 1904, 308. (See 1906, 239.) R. L. 91.
297 Superseded, 1906, 463 I §§ 62, 68. (See 1911, 635.) R. L. 111.
299 See 1904, 215; 1911, 384, 444. R. L. 38, 42.
301 Repealed, 1907, 550 § 133. R. L. 104.
305 Amended, 1906, 415. R. L. 29.
307 See 1909, 490 III § 26. R. L. 14.
318 Repealed, 1907, 560 § 456. (See 1907, 429 § 13.) R. L. 11.
320 Superseded, 1909, 514 §§ 25, 26, 145; 1910, 63 § 1. (See 1908, 228.) R. L. 18, 19, 106.
321 Repealed, 1909, 504 § 107. R. L. 87.
323 Amended, 1911, 60. R. L. 10.
330 §§ 1–3, revised, 1913, 779 §§ 6–9; § 4 revised 1913, 779 § 11. (See 1904, 220 §§ 1–3; 1906, 389; 1912, 368 § 9.) R. L. 46.
331 § 1 amended, 1905, 205. R. L. 28, 48.
332 Amended, 1909, 407; 1910, 339. (See 1904, 155; 1907, 576 § 35; 1909, 294, 514 § 30; 1911, 111.) R. L. 119.
334 In part superseded, 1906, 489. § 1 amended, 1909, 181. §§ 1, 6 affected, 1911, 175. § 2, see 1912, 165, 310; 1913, 457. (See 1904, 356; 1906, 501; 1907, 137, 158, 195; 1911, 456.) R. L. 83, 160.
354 See 1906, 324. R. L. 225.
355 Amended, 1912, 331. R. L. 81.
356 See 1904, 246. R. L. 75.
365 § 1 repealed, 1904, 433 § 3. (See 1904, 370 §§ 1–3; 1908, 185; 1910, 328.) R. L. 108.
367 See 1906, 386; 1907, 180, 259; 1908, 307; 1910, 387, 416. R. L. 75.
368 Superseded, 1907, 560 §§ 217–228, 456. (See 1905, 313 § 1.) R. L. 11.
375 See 1913, 719 § 24. R. L. 27.
377 Superseded, 1908, 604 § 21. (See 1905, 465 § 31.) R. L. 16.
383 § 3 amended, 1907, 464. R. L. 49.
386 See 1904, 403; 1906, 523. R. L. 208.
387 Superseded, 1904, 381 § 3, cl. 4; 1909, 468 § 3. Cl. 4, § 16; 1910, 470. R. L. 79.
395 Superseded, 1905, 157 §§ 2, 5; 1911, 485. (See 1910, 310 § 2.) R. L. 7.
398 Superseded, 1913, 336. R. L. 6.

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400 Repealed, 1909, 504 § 107. (See 1904, 278; 1905, 458, 475; 1906, 471; 1909, 504 § 71.) R. L. 87.

402 Affected, 1909, 379. Amended, 1913, 82. R. L. 84.

407 Amended, 1912, 438. (See 1909, 396; 1910, 545; 1912, 388; 1913, 552.) R. L. 92.

408 § 1 amended, 1911, 380 § 1. § 2 amended, 1905, 209 § 1; 1911, 380 § 2. R. L. 57.

410 Superseded, 1909, 504 §§ 94, 107. (See 1911, 30.) R. L. 87, 100.

412 § 2 in part superseded, 1904, 453 § 2. R. L. 160.

420 Superseded, 1909, 468 § 1. (See 1904, 381 § 1; 1907, 43.) R. L. 79.

421 Superseded, 1907, 576 §§ 7, 122. (See 1910, 493 § 7.) R. L. 118.

423 In part repealed, 1906, 463 II §§ 41, 258 III § 158. § 1 affected, 1910, 171 §§ 1–6. (See 1903, 437.) R. L. 109.

425 Repealed, 1907, 560 §§ 166, 456. (See 1909, 356; 1910, 520.) R. L. 11.

428 § 1 amended, 1909, 188. (See 1909, 453.) R. L. 108.

430 Superseded, 1907, 560 §§ 19, 456. (See 1904, 294 § 3; 1907, 429 § 3; 1909, 440 § 2.) R. L. 11.

432 Repealed, 1907, 571 § 2. R. L. 65.

437 Certain old corporations authorized to adopt this act. 1910, 353. § 1 amended, 1910, 385. (See 1909, 490 III § 39.) § 3, see 1906, 433 § 4. § 4 (f.), see 1912, 586, 595. § 5, see 1908, 163. § 6 *et seq.*, see 1913, 447. § 7 amended, 1912, 595. (See 1906, 286; 1912, 586.) §§ 9, 10, see 1906, 463 II §§ 29, 30, III §§ 10, 11. § 12, see 1908, 382. §§ 14, 40, see 1905, 189. § 15, see 1906, 463 II § 45. § 16, see 1910, 171. §§ 17, 18, see 1906, 463 II §§ 31, 32, III §§ 12, 13; 1907, 282 § 1; 1908, 180; 1911, 492. § 20 amended, 1904, 207. (See 1905, 222.) §§ 20–32, see 1906, 463 II §§ 33–44, III §§ 14–25. § 24 amended, 1912, 175. § 26 *et seq.*, see 1913, 597. §§ 28–31 affected, 1910, 171. § 34 amended, 1911, 488 § 1. § 36 amended, 1911, 488 § 2. § 39 repealed, 1911, 488 § 3. § 40, see 1908, 163, 534; 1909, 316, 477. § 42, see 1908, 534. §§ 42, 43, see 1912, 586. § 45 *et seq.*, see 1907, 282, 329, 395, 586; 1909, 441, 490 III §§ 40, 54, 55; 1911, 379. § 47 amended, 1908, 300 § 1; 1909, 326. (See 1909, 490 III § 55.) §§ 48, 49 amended, 1909, 440 § 2. (See 1909, 490 III § 40; 1911, 379.) § 49 amended, 1906, 346 § 1. § 52, see 1910, 187. § 53 amended, 1905, 156. § 56 *et seq.*, see 1906, 269, 347, 372. § 58 amended, 1905, 242. (See 1906, 269, 372; 1907, 332; 1909, 490 III § 39.) § 59, see 1909, 490 III § 58. § 60, see 1906, 372; 1909, 490 III § 54. §§ 65–68, see 1909, 490 III § 58. § 66 amended, 1905, 233. § 67 amended, 1908, 300 § 2. § 68 revised, 1906, 346 § 2. § 71, see 1907, 329, 586; 1908, 193, 194. §§ 71–87, see 1904, 442; 1909, 490 III §§ 40–51, 68. § 72 amended, 1909, 440 § 2. (See 1907, 395; 1908, 615.) § 74 amended, 1904, 261 § 1; 1906, 271 § 12. (See 1908, 220; 1909, 490 III § 43.) § 75 amended, 1907, 578; 1909, 490 III § 56. § 77 amended, 1906; 271 § 13. (See 1909, 490 III § 57.) § 86 amended, 1908, 614,

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1909, 490 III § 64. (See 1906, 516 § 20; 1909, 440 § 2.) § 88 amended, 1907, 396 § 1; 1908, 382; 1909, 490 III § 41. § 89 amended, 1907, 396 § 2. § 91, see 1909, 490 III § 54. § 94, see 1905, 330. (See also 1905, 222; 1906, 66, 377, 392, 437, 463 I and II; 1909, 267 § 2, 439 § 2.) R. L. 14, 109, 110, 126.

450 Repealed, 1907, 560 §§ 166, 456. (See 1903, 453, 454.) R. L. 11.

453 Repealed, 1907, 560 §§ 105, 106, 456. R. L. 11.

454 Repealed, 1907, 560 § 456. (See 1903, 474 § 6; 1904, 41, 179, 293, 377; 1905, 386; 1907, 429 § 14.) R. L. 11.

455 § 1 amended, 1905, 218 § 2; 1907, 359; 1909, 174. R. L. 10.

456 Affected, 1904, 107, 234; 1906, 200; 1908, 427. R. L. 39, 41.

457 §§ 1, 2 superseded, 1905, 465 §§ 122, 123. (See 1904, 371; 1905, 391; 1908, 604.) R. L. 16.

459 Extended, 1909, 103 § 1. R. L. 25.

464 Superseded, 1909, 483 § 3; 1912, 233. R. L. 58.

465 See 1911, 463. R. L. 28.

467 Amended, 1907, 208. (See 1908, 195.) R. L. 75.

471 § 1 in part repealed, 1904, 458 §§ 6, 7. R. L. 6, 79.

472 § 2 superseded, 1907, 286; 1911, 567. § 3, see 1904, 451 § 3; 1906, 276; 1908, 259. R. L. 157, 165.

473 Repeal and substitute, 1909, 534. (See 1905, 311, 366; 1906, 353, 412; 1907, 203, 408, 494, 580; 1908, 263, 467, 642, 648; 1910, 605; 1913, 803.) R. L. 47, 52, 54, 102.

474 Repealed, 1907, 560 § 456. (See 1904, 293; 1905, 386; 1906, 291, 444.) R. L. 11.

475 Superseded, 1909, 514 §§ 86–90, 145. § 5, see 1913, 610 § 2. (See 1907, 537 § 5; 1908, 389; 1912, 726 § 5.) R. L. 106, 108.

476 Superseded, 1906, 463 III §§ 43, 158. R. L. 112.

478 Superseded, 1906, 463 I §§ 37, 68; 1908, 390 § 1; 1911, 486. (See 1905, 408.) R. L. 111.

480 Amended, 1912, 104. (See 1909, 319.) R. L. 75.

481 Superseded, 1908, 604 §§ 26, 27. (See 1907, 356.) R. L. 16.

484 §§ 2, 3 revised, 1906, 434 §§ 1, 2. § 4 repealed, 1906, 434 § 3. R. L. 6, 102.

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41 Repealed, 1907, 560 § 456. (See 1904, 179, 377.) R. L. 11.

59 Superseded, 1906, 463 II §§ 233, 258. (See 1905, 208.) R. L. 111.

87 Amended, 1906, 126 § 1. R. L. 3.

88 Superseded, 1908, 507. R. L. 4.

96 Superseded, 1906, 463 I §§ 2, 68; 1910, 401. R. L. 111.

99 Superseded, 1909, 490 III § 2. (See 1906, 322; 1907, 564 § 2; 1909, 430 § 1; 1912, 543.) R. L. 14.

108 Amended, 1909, 464 § 2. R. L. 47.

110 Superseded, 1906, 463 III §§ 80, 158. R. L. 112.

116 Amended, 1905, 81. (See 1906, 239.) R. L. 91.

118 See 1906, 239; 1908, 492. R. L. 91.

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119 Superseded, 1912, 443. (See 1909, 273 § 2.) R. L. 24.
120 Amended, 1913, 259. (See 1908, 386.) R. L. 212.
122 See 1912, 372. R. L. 100.
125 See 1907, 196. R. L. 25.
127 See 1904, 283; 1911, 392. R. L. 102.
142 Amended, 1907, 241; 1910, 392. R. L. 102.
152 § 1 amended, 1908, 290. R. L. 25.
153 See 1908, 250 § 2, 464 § 1, 594; 1909, 136, 148. R. L. 21, 27.
155 § 1 amended, 1909, 294. §§ 1–4 re-enacted, 1912, 196. (See 1907, 576 § 35; 1909, 514 § 30; 1910, 339; 1911, 111.) R. L. 118, 119.
159 Repeal and substitute, 1913, 563. R. L. 82.
169 Superseded, 1906, 463 II §§ 256, 258. R. L. 111.
179 Repealed, 1907, 560 § 456. (See 1904, 377; 1905, 386 § 13.) R. L. 11.
181 Amended, 1906, 271 § 11; 1909, 490 I § 93. R. L. 12.
183 See 1904, 450, 460 § 4. R. L. 102.
194 Amended, 1911, 352. R. L. 32.
200 See 1908, 590 §§ 9, 10, 69. R. L. 116.
201 Superseded, 1907, 560 §§ 261, 456. R. L. 11.
206 See 1906, 224; 1909, 115. R. L. 144.
207 Affected, 1905, 222. R. L. 109, 110.
208 Superseded, 1908, 590 § 68; 1909, 491 § 8. R. L. 113, 116.
209 See 1908, 474. R. L. 9.
210 Superseded, 1908, 590 § 68; 1909, 491 § 8. (See 1906, 463 III §§ 150, 158.) R. L. 113, 116.
217 Amended, 1906, 73; 1907, 236 § 1. R. L. 146.
219 Amount increased, 1908, 319. R. L. 164.
220 Affected, 1906, 389; 1909, 472; 1911, 176, 265. § 4 revised, 1913, 779 § 10. (See 1912, 368 § 9.) R. L. 46.
224 In part superseded, 1906, 282; 1907, 251; 1910, 347. (See 1910, 316.) R. L. 220, 223.
226 Superseded, 1905, 465 § 153; 1908, 604 § 170. (See 1906, 139.) R. L. 16.
227 See 1907, 550. R. L. 104.
231 § 1 superseded, 1905, 465 § 83; 1908, 604 §§ 96, 97. § 3, see 1905, 465 § 84. (See 1906, 212; 1907, 305.) R. L. 16.
240 Superseded, 1907, 576 §§ 60, 122. R. L. 118.
241 Affected, 1905, 459; 1906, 293; 1910, 360. R. L. 225.
242 Extended, 1911, 129. (See 1913, 610 § 2, 655 §§ 42–47.) R. L. 102, 104.
243 See 1906, 243; 1911, 194. R. L. 225.
244 See 1908, 462. R. L. 47.
245 Repealed, 1907, 560 § 456. (See 1905, 318; 1906, 291, 444; 1907, 387.) R. L. 11.
248 See 1905, 211; 1906, 275; 1910, 567; 1912, 445. R. L. 42, 125.
257 Superseded, 1909, 504 §§ 103, 107. (See 1910, 345.) R. L. 87, 219.
258 Amended, 1913, 526. R. L. 160, 165.

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259 In part repealed, 1910, 258. R. L. 160.
261 Amended, 1906, 271 § 12. (See 1904, 442; 1907, 586; 1909, 490 III § 43.) R. L. 12, 14.
263 See 1905, 169; 1906, 463; 1910, 123, 137; 1912, 3. R. L. 6.
265 Superseded, 1906, 463 I §§ 7, 68. (See 1906, 266; 1908, 599.) R. L. 111.
267 Superseded, 1906, 463 III §§ 102, 158. R. L. 112.
269 § 6 amended, 1905, 265 § 1. (See 1909, 469.) R. L. 91.
274 § 1 amended, 1905, 348. (See 1905, 344.) R. L. 30, 81.
275 Superseded, 1907, 560 §§ 121, 456. (See 1907, 429 § 5.) R. L. 11.
278 See 1905, 475; 1909, 504 § 69. R. L. 87.
281 Increase, 1908, 374. R. L. 164.
282 See 1907, 297; 1908, 270; 1909, 403, 469; 1910, 177. R. L. 91.
283 Amended, 1911, 392. R. L. 102.
286 § 1 amended, 1907, 442 § 3; 1909, 248; 1910, 266. § 2 amended, 1906, 265 § 1; 1913, 791. § 3 affected, 1908, 328; in part repealed, 1909, 331. (See 1904, 455 § 1.) R. L. 164.
287 Repealed, 1912, 547 § 2. R. L. 165.
292 See 1912, 623 § 24. R. L. 114.
293 Repealed, 1907, 560 § 456. R. L. 11.
294 Superseded, 1907, 560 §§ 19, 456. (See 1907, 429 § 3.) R. L. 11.
300 Superseded, 1907, 576 §§ 43, 122. R. L. 118.
301 § 1 affected, 1905, 281 §§ 1, 2. R. L. 91.
304 Repealed, 1907, 576 § 122. R. L. 118.
307 Superseded, 1906, 257. R. L. 176.
308 Limited, 1906, 239 § 2. (See 1908, 492.) R. L. 91.
310 Superseded, 1907, 560 §§ 415, 422, 456. R. L. 11.
311 Superseded, 1909, 514 §§ 21, 145. R. L. 106.
313 Superseded, 1909, 514 §§ 11–14, 145. R. L. 106.
314 Limited, 1909, 453 § 2. § 2 amended, 1905, 243. (See 1905, 150; 1906, 210 § 2; 1910, 500; 1911, 624.) R. L. 19, 106.
315 Superseded, 1909, 514 §§ 44, 145. R. L. 26, 106.
317 See 1904, 443 §§ 2, 6; 1905, 266, 390. R. L. 28, 48, 49.
318 See 1908, 185, 568. R. L. 108.
319 See 1911, 176 § 2. R. L. 220.
320 Repealed, 1909, 514 § 145. Re-enacted, 1910, 63 § 1. R. L. 167.
322 Affected, 1910, 624 § 1. R. L. 25.
327 See 1907, 186; 1911, 137; 1913, 548, 657, 671, 681, 697. R. L. 25.
329 See 1904, 364; 1905, 417; 1912, 110; 1913, 573. R. L. 91.
332 Repealed, 1912, 527 § 15. R. L. 57, 89.
333 Affected, 1905, 383; 1907, 550. R. L. 104.
334 Superseded, 1909, 514 §§ 45, 145. (See 1907, 560 §§ 447, 456.) R. L. 11, 106.
335 Superseded, 1909, 514 §§ 31, 32, 145. (See 1907, 232 § 3.) R. L. 72, 208.
336 § 1 amended, 1905, 426 § 1. R. L. 101.
343 Superseded, 1909, 514 §§ 28, 29, 145. (See 1912, 252.) R. L. 106.

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344 § 1, see 1910, 130 § 2. § 2 revised, 1905, 144. R. L. 25.
347 Superseded, 1909, 514 §§ 101, 145. (See 1912, 726 § 5.) R. L. 106.
348 See 1905, 110; 1906, 187; 1909, 235. R. L. 165.
349 Superseded, 1909, 514 §§ 23, 145. R. L. 106.
350 § 1, see 1909, 184; 1913, 38. § 2 amended, 1912, 382. R. L. 204.
353 In part superseded, 1906, 291 §§ 8, 10. R. L. 102, 108.
356 See 1906, 413, 489, 501; 1907, 137, 158, 195; 1911, 175, 456; 1912, 310. R. L. 46, 83, 212.
357 Superseded, 1906, 463 I §§ 9, 10, 68. (See 1909, 343.) R. L. 111.
361 Superseded, 1905, 465 §§ 90, 157; 1908, 604 § 106. (See 1905, 468.) R. L. 16.
363 § 1, see 1905, 464; 1912, 562. R. L. 225.
364 Repealed, 1905, 417 § 2. (See 1912, 110; 1913, 573.) R. L. 25, 91.
366 Repealed, 1907, 161. (See 1905, 406; 1906, 303; 1907, 166; 1908, 413; 1909, 466.) R. L. 92.
367 § 1 amended, 1910, 548. (See 1906, 179 § 2; 1907, 198, 299; 1908, 255; 1911, 614, 722.) R. L. 91.
368 See 1907, 550. R. L. 104.
369 See 1905, 414; 1907, 99; 1909, 421, 508; 1912, 567. R. L. 92.
370 §§ 1–4 revised, and new sections added, 1905, 280; § 3 amended, 1905, 280 § 1; 1908, 502 § 1; 1910, 223 § 2; 1913, 452. Affected, 1911, 477. (See 1910, 284.) R. L. 32, 102.
371 § 1 superseded, 1905, 465 § 112; 1908, 604 § 133. (See 1905, 391.) R. L. 16.
372 § 2, see 1904, 453 § 1; 1906, 248. R. L. 160.
373 Superseded, 1906, 463 II §§ 117–121, 158. R. L. 112.
374 § 3 superseded, 1906, 204 §§ 5–7. (See 1908, 590 § 4; 1909, 419.) §§ 3–6, see 1909, 491 §§ 2, 3; 1911, 148. § 7 superseded, 1908, 520 §§ 8, 9; 1910, 377. (See 1905, 331; 1906, 204; 1909, 342; 1910, 399; 1911, 389; 1912, 90.) R. L. 116.
375 Superseded, 1907, 560 §§ 326–329, 333, 456. R. L. 11.
377 Repealed, 1905, 386 § 18. (See 1907, 560 § 113; 1908, 423 § 1.) R. L. 11.
380 Repealed, 1907, 560 § 456. R. L. 11.
381 Superseded, 1909, 468. (See 1907, 43, 354; 1908, 405; 1910, 470; 1913, 323.) R. L. 79.
382 See 1908, 389; 1911, 675; 1913, 834. R. L. 108.
383 § 1 amended, 1905, 260 § 1. R. L. 40.
385 Superseded, 1909, 490 I § 12. R. L. 12.
386 § 1 superseded, 1906, 416; 1913, 738. R. L. 128.
387 Repealed, 1913, 386 § 2. (See 1909, 363.) R. L. 164.
388 See 1907, 66. R. L. 89.
392 Affected, 1906, 204. (See 1908, 590 §§ 2–7, 69.) R. L. 113, 114.
395 § 1 amended, 1909, 391 § 1. (See 1906, 225, 365; 1907, 183, 386, 445; 1908, 598; 1909, 292, 380; 1911, 613.) R. L. 75, 84.
396 In part superseded, 1906, 463 I § 66, III §§ 85, 158. (See 1908, 495.) R. L. 112, 209.

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397 Superseded, 1909, 514 §§ 47, 145. (See 1906, 284 § 2; 1911, 313.) R. L. 106.

399 Superseded, 1909, 514 §§ 10, 145. R. L. 106.

401 § 1 amended, 1905, 92; 1912, 322; 1913, 70. § 2 affected, 1906, 59. (See 1908, 110 § 2.) R. L. 164.

403 See 1906, 523. R. L. 208.

409 § 1 amended, 1907, 473 § 1; 1909, 263 § 1. § 3 revised, 1912, 577. (See 1905, 211 § 1.) § 5, see 1910, 236. § 6 amended, 1907, 473 § 2. Affected, 1907, 475 §§ 1, 4, 8; 1908, 209 §§ 3, 4, 478. (See 1909, 214, 452.) R. L. 28, 89.

410 Amended, 1908, 462 § 3. R. L. 9.

414 Superseded, 1909, 436. (See 1908, 460.) R. L. 89.

421 Superseded, 1907, 563 §§ 7, 26; 1908, 624; 1909, 527 § 8. (See 1909, 490 IV § 7.) R. L. 15.

427 Affected, 1906, 204; 1908, 590 §§ 4–6. R. L. 113, 117.

429 Superseded, 1906, 463 I §§ 3, 68. R. L. 111.

430 Affected, 1906, 522; 1907, 451; 1908, 375; 1913, 610. (See 1908, 389; 1909, 410; 1911, 561.) R. L. 108.

432 Superseded, 1909, 514 §§ 59, 145. (See 1905, 213, 267; 1906, 284; 1907, 224.) R. L. 106.

433 § 1 in part repealed, 1905, 247 § 2, 461 § 2; 1913, 834. § 2, see 1908, 389; 1909, 432; 1910, 328, 588; 1911, 675. R. L. 108.

439 Superseded, 1905, 465 § 14; 1908, 604 § 14. R. L. 16.

440 Superseded, 1907, 139 § 2. R. L. 6.

441 Superseded, 1906, 463 III §§ 41, 158; 1907, 402. (See 1908, 278.) R. L. 112.

442 § 1 superseded, 1909, 490 I § 84. Amended, 1909, 440 § 2. § 2 superseded, 1909, 490 III § 46. (See 1907, 395; 1908, 220.) R. L. 14.

443 Extended, 1905, 390. (See 1905, 266.) R. L. 25, 28, 48.

446 § 1 amended, 1907, 226. § 9 superseded, 1909, 497. § 13 amended, 1905, 128. R. L. 83, 87.

448 § 1, see 1906, 50, 344. § 3 in part repealed, 1910, 560 § 5. (See 1905, 249 § 5, 288.) § 6, see 1905, 195. § 8 revised, 1910, 560 § 6. § 9 repealed, 1912, 542. (See 1905, 286.) § 10 amended, 1905, 249 § 1; 1910, 560 § 3. § 11 added, 1905, 291. (See 1905, 249 § 4, 296.) R. L. 128, 173.

450 Repealed, 1913, 655 § 61. (See 1905, 342; 1906, 105; 1908, 335, 381, 385 § 2; 1910, 143.) R. L. 102, 108.

451 § 1 affected, 1911, 299. Cl. C, 1905, 179; 1906, 290; 1910, 537; Cl. H, 1913, 423, 791. §§ 1–3 affected, 1912, 219. § 3 in part superseded, 1905, 380; 1907, 145 § 2, 253; 1909, 232. (See 1902, 499 § 1; 1906, 276; 1908, 259; 1909, 398.) R. L. 20, 21, 165.

452 § 1 amended, 1912, 553. § 2 revised, 1913, 682. R. L. 22.

453 Affected, 1905, 339; 1909, 357; 1910, 501. § 1 amended, Cl. B and C, 1905, 165. Cl. C and D, 1908, 323; 1909, 357; 1911, 414 § 2; 1912, 660. Cl. E, 1906, 325 § 1; 1909, 357. Cl. F, 1906, 325 § 2; 1907, 128 § 1; 1912, 563, 672. Cl. G, 1912, 604; 1913, 748. Cl. H,

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1905, 443 § 1; 1907, 128 § 2; 1912, 604. (See 1905, 133, 192.) Cl. I, 1905, 443 § 2; 1907, 128 § 3; 1913, 414 § 2. § 2 repealed, 1907, 128 § 4. § 5, see 1910, 370. § 6, see 1905, 339 § 2. R. L. 160.

454 § 1 in part superseded, 1906, 449 § 1, 450; 1913, 726. (See 1909, 434.) R. L. 160.

455 § 1 amended, 1906, 265 § 1; 1907, 207 § 1, 442 §§ 4, 5; 1911, 668; 1912, 584, 585. (See 1908, 110 § 2; 1911, 710; 1912, 332.) R. L. 164.

458 § 5, see 1909, 49. R. L. 165.

459 Superseded, 1909, 504 §§ 29, 41, 48. (See 1905, 447.) R. L. 87.

460 § 1 superseded, 1908, 385 § 2; 1909, 189. § 2 affected, 1908, 333, 343; 1909, 420. § 4 superseded, 1908, 385 § 2. (See 1905, 341; 1907, 274 § 1; 1908, 335.) § 5 amended, 1907, 309; 1909, 254. R. L. 98, 102.

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73 Superseded, 1908, 477; 1909, 309. (See 1906, 482.) R. L. 92.

79 See 1910, 262. R. L. 161.

80 Superseded, 1906, 463 III §§ 4, 5, 158. R. L. 112.

81 See 1906, 239; 1908, 492. R. L. 91.

92 Amended, 1912, 332; 1913, 70. (See 1906, 59.) R. L. 164.

110 Superseded, 1906, 187; 1909, 235. (See 1906, 180; 1911, 150.) R. L. 165, 217.

111 Superseded, 1907, 560 §§ 247, 456. R. L. 11.

115 See 1909, 208. R. L. 81.

122 See 1905, 406; 1908, 441; 1911, 356. R. L. 92.

127 § 1 amended, 1907, 169 § 3. (See 1908, 116; 1911, 206, 389.) R. L. 145.

134 Repealed, 1906, 463 III §§ 86, 158. R. L. 112.

149 Superseded, 1907, 139 § 2, 276; 1911, 294. R. L. 6.

150 Amended, 1910, 500. (See 1907, 458; 1909, 398; 1910, 459; 1911, 624; 1912, 55.) R. L. 19.

154 Superseded, 1910, 421 § 2. (See 1908, 342.) R. L. 10.

157 § 1 amended, 1910, 369; 1911, 485; 1912, 576. § 2, see 1910, 310 § 2; 1911, 485. § 3 superseded, 1910, 439 § 6. (See 1906, 460 § 2; 1909, 276; 1913, 602.) R. L. 7.

159 Superseded, 1907, 474 §§ 1, 15. (See 1910, 198, 491.) R. L. 87, 89.

163 Repealed, 1912, 174. (See 1908, 349.) R. L. 21.

169 See 1906, 493; 1909, 490 I § 5; 1910, 123, 137; 1912, 3. R. L. 6.

175 Superseded, 1909, 504 §§ 95, 96. (See 1908, 195.) R. L. 87.

176 Extended, 1905, 437. Superseded, 1908, 566. (See 1909, 281; 1911, 48, 440.) R. L. 104.

190 Superseded, 1909, 377; 1910, 469. R. L. 91.

191 Superseded, 1907, 576 §§ 102, 122. R. L. 118.

193 Superseded, 1909, 490 II § 44; 1911, 370. R. L. 13.

202 Repealed and superseded, 1908, 317, 604 § 174. (See 1905, 465 § 157.) R. L. 16.

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204 Superseded, 1907, 571 § 1; 1912, 192. (See 1908, 208.) R. L. 65.
206 § 1 amended, 1911, 83. R. L. 100.
208 Superseded, 1906, 463 II §§ 234, 258. R. L. 111.
209 Amended, 1911, 380 § 2. R. L. 57.
210 Superseded, 1906, 463 II §§ 233, 258; 1909, 233. R. L. 111.
211 §§ 1, 6 *et seq.*, see 1906, 235 § 1; 1912, 445. § 3 superseded, 1907, 139 § 1. (See 1908, 195, 414.) § 4 amended, 1908, 630. § 5, see 1908, 597 §§ 4, 5. § 11 superseded, 1911, 154 § 13. (See 1912, 387.) R. L. 6, 75, 84.
213 Superseded, 1909, 514 §§ 59, 145. (See 1905, 267 § 2; 1907, 224.) R. L. 106.
216 § 1 superseded, 1906, 275 § 1. R. L. 125.
218 § 1 amended, 1909, 174. § 2 amended, 1907, 359; 1909, 174. R. L. 10.
220 Superseded, 1910, 541. R. L. 75, 213.
231 Superseded, 1909, 514 §§ 55, 145. (See 1908, 547.) R. L. 106, 224.
235 Affected, 1909, 295. R. L. 225.
236 Amended, 1906, 305; 1913, 795. R. L. 75.
238 Superseded, 1909, 514 §§ 106, 145. (See 1907, 537 § 5; 1911, 603.) R. L. 106.
242 See 1906, 269, 372. R. L. 126, 167.
243 See 1906, 210 § 2; 1911, 624. R. L. 19, 108.
245 Superseded, 1913, 552. (See 1910, 545 § 3.) R. L. 92.
247 See 1905, 461; 1911, 675; 1913, 834. R. L. 108.
249 § 1 amended, 1910, 560 § 3. (See 1905, 288; 1906, 50, 344.) R. L. 128.
250 Superseded, 1908, 590 § 68; 1909, 491 § 8. R. L. 113.
251 § 1 amended, 1907, 480; 1910, 269; § 2 amended, 1907, 480 § 1. (See 1909, 292, 380, 391, 470.) R. L. 75.
263 § 2 amended, 1909, 33. R. L. 156, 157.
265 See 1909, 469. R. L. 91.
267 Superseded, 1909, 514 §§ 56, 145. (See 1906, 284, 499; 1907, 224.) R. L. 106.
269 Amended, 1911, 500. R. L. 83.
271 Superseded, 1910, 538; 1911, 305. R. L. 173.
272 Superseded, 1913, 336. R. L. 6.
273 See 1906, 274, 301; 1909, 421. R. L. 92.
279 § 1 revised, 1908, 297 § 1. § 2, see 1908, 296 § 2; 1910, 321. § 3 amended, 1908, 297 § 2. (See 1908, 296 § 4.) R. L. 47, 53.
280 Extended, 1910, 588. Affected, 1911, 477. § 1 amended, 1908, 502 § 1; 1910, 223 § 1; 1913, 452. § 2 amended, 1910, 223 § 2. (See 1910, 284, 588.) R. L. 102.
282 Superseded, 1908, 629; 1909, 504 § 1. R. L. 87.
284 See 1911, 77. § 1 amended, 1911, 88. R. L. 100.
286 Repealed, 1912, 542. R. L. 173.
287 Superseded, 1907, 576 §§ 11, 122; 1911, 54, 315; 1912, 74. R. L. 118.
288 In part repealed, 1910, 560 § 2.

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289 § 1 superseded, 1909, 301; 1911, 377. (See 1908, 294 § 2.) R. L. 76.
295 Amended, 1906, 329; 1907, 261; 1910, 332; 1911, 116. R. L. 217.
298 §§ 1, 2 superseded, 1908, 604 § 140. (See 1905, 465 § 120; 1906, 469 § 1, 504 § 9; 1907, 526 § 8.) R. L. 16.
303 § 2 amended, 1913, 112. R. L. 81.
304 Superseded, 1909, 514 §§ 115–118, 145. R. L. 106.
307 Superseded, 1911, 456. (See 1905, 338; 1906, 501; 1907, 563 § 26; 1908, 104 § 1; 1909, 180.) R. L. 212, 220.
308 Superseded, 1909, 514 §§ 121–123, 145; 1910, 563; 1911, 727 § 22. (See 1906, 390; 1908, 605 §§ 7, 8; 1909, 317.) R. L. 106, 189.
310 § 1 amended, 1911, 562 § 3. § 2 superseded, 1907, 373 § 2; 1911, 562 § 4; 1913, 209. (See 1906, 387, 414; 1907, 465; 1908, 563; 1913, 610 § 2.) R. L. 102, 105.
311 Repeal and substitute, 1909, 534. (See 1905, 366; 1906, 353, 412; 1907, 203, 408, 494, 580; 1908, 263, 467, 642, 648; 1913, 803.) R. L. 47, 52, 54, 102.
313 Superseded, 1907, 560 §§ 226, 227, 456. R. L. 11.
317 Repeal and substitute, 1911, 614. (See 1907, 198; 1908, 402; 1909, 262; 1910, 614; 1911, 235; 1912, 379.) R. L. 92, 102.
318 Superseded, 1907, 560 §§ 73, 418. (See 1906, 291 § 18, 444 § 12; 1907, 387.) R. L. 11.
319 Amended, 1913, 652. R. L. 219.
320 Amended, 1906, 383; 1913, 779 § 1. (See 1911, 241; 1912, 191, 368 § 9; 1913, 467.) R. L. 44.
322 Superseded, 1911, 270. R. L. 21.
323 Amended, 1913, 791. (See 1909, 494.) R. L. 164.
325 Superseded, 1909, 490 II §§ 59, 61, 76. (See 1908, 226.) R. L. 13.
326 Affected, 1906, 224; 1909, 115. R. L. 144.
330 § 1 amended, 1912, 442 § 1. § 2 amended, 1908, 269; 1912, 442 § 2. (See 1909, 504 § 22.) R. L. 87.
331 Superseded, 1908, 520 §§ 8, 9; 1910, 377, 399. R. L. 116.
332 Superseded, 1907, 231. R. L. 21.
336 Superseded, 1913, 611 §§ 15, 18. R. L. 204.
338 Superseded, 1912, 154; 1913, 653. (See 1906, 501 § 3; 1908, 104; 1911, 456.) R. L. 220.
339 Superseded, 1910, 501. R. L. 160.
341 Superseded, 1908, 385 § 2. (See 1907, 274; 1908, 335.) R. L. 102.
342 Repealed, 1913, 655 § 61. (See 1906, 105 § 1; 1908, 335; 1910, 143.) R. L. 102, 104, 108.
344 See 1905, 348. R. L. 30, 81.
345 Repeal and substitute, 1913, 563. R. L. 82.
347 See 1913, 610 § 2. R. L. 104.
354 Superseded, 1909, 504 §§ 49, 107. R. L. 87.
355 See 1906, 243, 302; 1908, 230; 1911, 194. R. L. 223, 225.
366 Superseded, 1909, 534 §§ 17, 31. (See 1906, 353, 412; 1908, 263, 467; 1910, 525, 605; 1913, 803.) R. L. 25, 47, 52.

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367 In part repealed, 1907, 563 §§ 6, 26. (See 1908, 624; 1909, 490 IV § 6, 527.) R. L. 15.

369 Amended, 1908, 434; 1912, 71, 352. (See 1907, 466; 1908, 178; 1909, 218, 514 § 15.) R. L. 6.

370 § 1, see 1907, 340 § 2; 1908, 590 § 57; 1912, 70. § 2 superseded, 1910, 645. (See 1908, 288; 1909, 204 § 1; 1910, 555 § 3.) R. L. 201.

375 Amended, 1911, 268 § 2. R. L. 44.

376 Superseded, 1906, 463 III §§ 74, 158. (See 1906, 339.) R. L. 112.

377 Superseded, 1906, 345. (See 1912, 192.) R. L. 65.

381 Affected, 1907, 521. § 2 superseded, 1909, 263 § 2. § 3 amended, 1906, 268 § 1; 1908, 591 § 1. §§ 3–6, 9, 11 in part superseded, 1909, 263 § 2. § 4 revised, 1906, 268 § 2; 1907, 521 § 1; 1910, 150; 1913, 600 § 2. § 5 amended, 1906, 268 § 3; 1907, 521 § 2; 1911, 474. § 6 amended, 1906, 268 § 4; 1908, 591 § 2. § 7 amended, 1906, 268 § 5; 1907, 521 § 3; 1911, 242. § 11 amended, 1906, 268 § 6. § 12 amended, 1907, 521 § 4. R. L. 28, 75, 89, 101.

383 See 1907, 550. R. L. 104.

386 Repealed, 1907, 560 § 456. (See 1905, 397; 1906, 298.) R. L. 11.

390 See 1913, 401. R. L. 48.

391 Superseded, 1905, 465 § 112. (See 1906, 504 § 9; 1908, 604 § 133.) R. L. 16.

397 Repealed, 1907, 560 § 456. (See 1906, 444.) R. L. 11.

400 Superseded, 1909, 504 §§ 14, 107. (See 1906, 316.) R. L. 87.

401 Superseded, 1907, 576 §§ 32, 122. R. L. 118.

406 Superseded, 1911, 356; 1912, 270. (See 1906, 303; 1908, 441; 1909, 272; 1910, 365; 1911, 236 § 2.) R. L. 92.

407 Affected, 1908, 417. R. L. 91.

408 Superseded, 1906, 463 I §§ 32, 36, 37. (See 1908, 372 § 2, 390 § 1; 1909, 429; 1910, 498; 1911, 486.) R. L. 111.

410 § 4 amended, 1906, 411; 1908, 486. R. L. 34.

414 Superseded, 1910, 472. (See 1907, 99; 1909, 508; 1912, 567.) R. L. 92.

417 See 1912, 110; 1913, 573. R. L. 91.

418 See 1908, 187 § 2; 1910, 651; 1911, 10. R. L. 102.

419 Superseded, 1913, 529. (See 1907, 307; 1908, 377; 1909, 396; 1910, 545; 1912, 388.) R. L. 92.

428 Affected, 1908, 493. Extended, 1910, 338 § 1; 1913, 178. § 1 superseded, 1907, 377 § 1. (See 1906, 408 § 1.) § 2 revised, 1911, 358; 1912, 335. (See 1906, 408 § 2.) § 5 repealed, 1909, 287 § 1, 450. (See 1906, 408 § 3; 1907, 377 § 7; 1913, 179.) R. L. 70, 109, 111, 115.

432 Superseded, 1909, 504 §§ 45, 46. (See 1911, 395.) R. L. 87.

434 See 1911, 194; 1913, 404. R. L. 208, 225.

435 Superseded, 1909, 504 § 75. R. L. 87.

436 See 1909, 504 §§ 7, 11, 33. R. L. 87.

437 Superseded, 1908, 566. (See 1909, 281; 1911, 48, 440; 1912, 182.) R. L. 104.

443 § 1 amended, 1907, 128 § 2; 1912, 604. § 2 amended, 1907, 128 § 3; 1913, 414. R. L. 160.

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445 Superseded, 1908, 330. (See 1907, 300.) R. L. 92.
447 Superseded, 1909, 504 § 29. R. L. 87.
458 Superseded, 1909, 504 §§ 71–74. R. L. 87.
459 See 1906, 293; 1910, 360. R. L. 225.
461 § 1, see 1911, 675; 1913, 834. R. L. 108.
464 See 1912, 562. R. L. 86, 223, 225.
465 Repealed, 1908, 604 § 209 and revised by 1908, 604. (See 1906, 198, 212, 273, 373, 423, 469, 504; 1907, 232 § 4, 305, 356, 526; 1908, 315, 317, 344, 354, 371, 434.)
468 See 1908, 604 § 174. R. L. 16.
470 Superseded, 1907, 563 §§ 1, 26; 1909, 490 IV § 1, 527 §§ 1, 8. (See 1906, 436 § 1; 1907, 452; 1908, 624.) R. L. 15.
472 § 1, see 1906, 387; 1907, 465 §§ 1, 14; 1909, 393 § 1. § 2, see 1907, 465 §§ 10, 11, 19. § 3, see 1907, 465 § 28, 537 § 5; 1908, 389, 563. (See 1913, 610.) R. L. 105, 108.
473 § 6 amended, 1910, 390. R. L. 76.
474 § 1 amended, 1913, 73. See 1909, 250. R. L. 81, 84, 85.
475 Superseded, 1909, 504 § 49. (See 1906, 471 § 1; 1911, 394.) R. L. 87.

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50 § 1, see 1906, 344; 1910, 560. R. L. 128.
66 § 1 affected, 1906, 204 § 3, 347; 1908, 590 § 9. (See 1909, 491; 1910, 343, 399; 1912, 128.) R. L. 113, 115, 116.
67 See 1907, 225. R. L. 22.
73 Amended, 1907, 236. R. L. 146.
76 Superseded, 1907, 560 §§ 348, 456. R. L. 11.
105 Repealed, 1913, 655 § 61. (See 1908, 335; 1910, 143; 1913, 610.) R. L. 102, 104.
107 Superseded, 1907, 355; 1910, 532. R. L. 102.
116 Extended, 1913, 761. § 3 amended, 1908, 435 § 1. § 4 repealed, 1908, 435 § 2. R. L. 56, 75, 213.
117 Superseded, 1911, 509 § 2. R. L. 122.
120 Amended, 1908, 525 § 1. (See 1906, 281; 1909, 261 § 5.) R. L. 76, 100.
139 See 1908, 604 § 170. R. L. 16.
141 § 1 amended, 1911, 18 § 1. (See 1909, 362.) R. L. 92.
147 Superseded, 1912, 134. (See 1911, 322; 1913, 501.) R. L. 165.
149 Amended, 1912, 658. R. L. 164.
151 Amended, 1910, 419. R. L. 65.
159 Amended, 1907, 344; 1910, 608. R. L. 19.
165 § 1 superseded, 1908, 150. (See 1907, 410 § 1.) § 2 amended, 1907, 410 § 2. R. L. 75, 213.
171 See 1911, 90. R. L. 32.
172 § 1 amended, 1911, 548 § 1. § 2 amended, 1908, 350 § 1; 1911, 548 § 2. (See 1908, 583; 1912, 391.) R. L. 211, 214.
173 § 2 amended, 1908, 350 § 2, 583. R. L. 211, 214.

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175 Affected, 1909, 115. R. L. 144.
179 Repealed, 1908, 488 § 3. (See 1910, 548.) R. L. 91.
180 See 1909, 235. R. L. 217.
183 Amended, 1913, 316. R. L. 38.
184 Superseded, 1909, 504 § 5. R. L. 87.
185 § 1 amended, 1913, 281. (See 1907, 363; 1908, 133; 1909, 302.) R. L. 212.
187 Limited, 1909, 235. (See 1911, 150.) R. L. 217.
190 Amended, 1906, 291 § 4. (See 1906, 384.) R. L. 102.
195 Superseded, 1913, 339. (See 1908, 348.) R. L. 160.
198 Superseded, 1908, 604 § 170. (See 1907, 232 § 4; 1908, 354.) R. L. 16.
200 § 1 amended, 1908, 427; 1911, 537; 1913, 396. (See 1906, 399; 1907, 213; 1911, 375, 731.) R. L. 39, 42.
201 See 1911, 70. R. L. 189.
204 Superseded, 1908, 590 §§ 2–7, 69. (See 1906, 347, 377; 1908, 414, 520 §§ 10–13; 1909, 419 § 5, 491 § 2; 1910, 343, 399; 1911, 148; 1912, 90, 623.) R. L. 113–115.
210 § 1 amended, 1907, 272. (See 1911, 624.) R. L. 19, 108.
212 Superseded, 1908, 604 §§ 95–97. (See 1906, 504 § 6; 1907, 305 § 2.) R. L. 16.
215 See 1907, 394; 1911, 163. R. L. 62.
218 See 1906, 463 III § 60. R. L. 34.
219 § 1 affected, 1912, 360. § 2, see 1909, 160. R. L. 187.
221 Amended, 1911, 160. R. L. 217.
223 Amended, 1909, 237 § 1. (See 1907, 490 § 1; 1911, 150.) R. L. 197.
224 See 1909, 115. R. L. 144.
225 Superseded, 1906, 365 § 1. (See 1907, 183, 386; 1909, 391; 1911, 613; 1912, 151.) R. L. 75.
235 See 1908, 195. R. L. 6.
239 See 1908, 492. R. L. 91.
241 Superseded, 1910, 533 § 2. (See 1909, 328; 1910, 533; 1911, 101, 118 § 2, 215.) R. L. 92.
243 See 1906, 302; 1911, 194. R. L. 225.
250 Superseded, 1909, 514 §§ 102, 145. (See 1907, 537 § 5; 1911, 603; 1912, 726 § 5.) R. L. 106.
263 Superseded, 1909, 377; 1910, 469. R. L. 91.
265 Amended, 1913, 791. (See 1912, 332.) R. L. 164.
266 Superseded, 1906, 463 I § 7, III § 158. Extended, 1908, 599. R. L. 111.
267 Superseded, 1906, 463 I § 6, III § 158. R. L. 111.
268 § 1 amended, 1908, 591 § 1. (See 1909, 263.) § 2 superseded, 1907, 521 § 1; 1910, 150. § 3 amended, 1907, 521 § 2; 1911, 474; 1913, 600 § 2. § 4 amended, 1908, 591 § 2. § 5 amended, 1907, 521 § 3; 1911, 242. (See 1913, 605.) R. L. 25, 26, 101.
269 Extended, 1911, 70. R. L. 189.

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271 § 1 superseded, 1909, 490 III § 4. (See 1906, 516 § 14; 1908, 468.) § 2 superseded, 1909, 490 III § 19. § 3 superseded, 1909, 490 III § 21. (See 1907, 246; 1909, 342; 1911, 337.) § 4 superseded, 1909, 490 III § 22. (See 1909, 342 § 2.) § 5 superseded, 1909, 490 III § 24. § 6 superseded, 1909, 490 III § 34. § 7 repealed, 1907, 576 § 122. § 8, see 1909, 490 III § 35. § 9, see 1909, 490 III § 43. § 10 superseded, 1909, 490 III § 37. (See 1909, 490 III § 57.) § 11 superseded, 1909, 490 I § 93. § 12, see 1909, 490 III § 43. (See 1906, 516 § 18.) § 13, see 1909, 490 III § 57. R. L. 12, 14, 111.

273 Superseded, 1908, 604 § 20; 1909, 298; 1910, 228; 1911, 145, 326. R. L. 16.

274 § 1 amended, 1911, 39. (See 1909, 421; 1912, 567.) R. L. 92.

275 See 1912, 445. R. L. 125.

276 See 1908, 259. R. L. 165.

278 Superseded, 1910, 533 § 3. (See 1909, 328; 1911, 101, 118 § 2; 1913, 626.) R. L. 92.

280 Superseded, 1912, 623 § 27. R. L. 114.

281 § 2 amended, 1909, 261 § 2. (See 1907, 140, 190, 308.) R. L. 76, 100.

282 § 1 superseded, 1907, 251 § 1. (See 1910, 316, 347.) R. L. 220, 223, 225.

283 Superseded, 1906, 463 II §§ 169, 258. R. L. 111.

284 Superseded, 1909, 514 §§ 56, 145. (See 1907, 224; 1911, 269, 310.) R. L. 106.

286 Superseded, 1912, 595. R. L. 110.

288 See 1907, 297; 1908, 270; 1909, 403, 469; 1910, 177. R. L. 91.

291 § 2 in part repealed, 1909, 387 § 2. § 4 amended, 1907, 214; 1910, 383. (See 1906, 384.) § 10 amended, 1909, 221. § 13 amended, 1909, 311. § 18 amended, 1907, 387. (See 1906, 444 § 12.) R. L. 11, 100, 102.

292 Superseded, 1911, 234. R. L. 92.

293 See 1910, 360. R. L. 225.

296 Repealed, 1909, 371 § 10. (See 1907, 79; 1908, 481; 1909, 371 §§ 2, 6; 1910, 616; 1912, 45.) R. L. 9, 107.

298 Superseded, 1907, 560 §§ 352, 456. R. L. 11.

301 Superseded, 1909, 421. (See 1911, 187.) R. L. 92.

302 See 1908, 230. R. L. 225.

303 Superseded, 1911, 356; 1912, 270. (See 1908, 441; 1909, 272, 422; 1910, 365; 1911, 236 § 2; 1912, 203.) R. L. 92.

305 Amended, 1913, 795. R. L. 75.

309 Superseded, 1907, 489; 1909, 504 § 65. (See 1906, 508.) R. L. 87.

311 Superseded, 1907, 560 §§ 311, 456. R. L. 11.

313 Superseded, 1909, 504 §§ 14, 107. R. L. 87.

314 Superseded, 1909, 377; 1910, 469. R. L. 91.

315 Superseded, 1909, 490 I § 5. (See 1906, 481; 1907, 367; 1909, 516 § 1.) R. L. 12.

316 Superseded, 1909, 504 §§ 54, 107. R. L. 87.

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322 Superseded, 1909, 490 III § 2. (See 1907, 564 § 2; 1908, 550 § 1; 1909, 430 § 1; 1912, 543.) R. L. 14.
323 See 1909, 531; 1910, 462; 1913, 761. R. L. 62, 75.
324 See 1909, 504 § 103. R. L. 85, 87.
325 § 2 amended, 1907, 128 § 1; 1912, 563. R. L. 160.
329 Amended, 1907, 261; 1910, 332; 1911, 116. R. L. 217.
334 See 1909, 526. R. L. 76.
339 Superseded, 1906, 463 III §§ 76, 158. R. L. 112.
341 See 1908, 598. R. L. 84.
342 § 2 amended, 1910, 555 § 4. § 3 affected, 1908, 177; amended, 1911, 212. (See 1908, 516; 1909, 236; 1913, 716.) R. L. 173.
344 § 3 amended, 1910, 560 § 7. R. L. 128.
345 See 1907, 571; 1912, 192. R. L. 65.
347 § 1 superseded, 1910, 343. (See 1908, 590 §§ 4–17; 1910, 399; 1912, 128.) R. L. 115.
349 Superseded, 1909, 490 III § 70. R. L. 14.
351 See 1913, 414. R. L. 160.
352 Superseded, 1909, 504 § 58. (See 1907, 432; 1911, 71 § 2.) R. L. 87.
353 Repealed, 1909, 534 § 31. (See 1906, 412; 1907, 494, 580; 1908, 263, 648; 1913, 803.) R. L. 47, 52, 54, 102.
355 § 1 amended, 1913, 488. R. L. 160.
356 Superseded, 1910, 460. R. L. 91.
365 § 1 amended, 1907, 445; 1911, 613; 1912, 151. (See 1907, 183, 386, 474; 1909, 380, 391.) R. L. 75.
370 Superseded, 1909, 514 §§ 128, 145. (See 1908, 380, 457; 1911, 751; 1912, 172, 251.) R. L. 106.
371 § 1 amended, 1907, 215. R. L. 44.
372 See 1909, 490 II § 81, III § 58. R. L. 13.
373 Superseded, 1908, 604 § 103; 1912, 87. R. L. 16.
377 Superseded, 1908, 590 §§ 16, 69; 1909, 491 § 4. (See 1907, 533; 1910, 399; 1912, 128.) R. L. 113, 115.
383 Superseded, 1913, 779 § 1. (See 1911, 241; 1912, 368 § 9; 1913, 467.) R. L. 44.
385 Amended, § 9 added, 1907, 173. § 2, see 1909, 371 § 2, 514 §§ 1, 2; 1911, 158. R. L. 83, 84, 107.
386 §§ 1, 2 superseded, 1907, 259 §§ 1, 3. §§ 3–5 repealed, 1910, 387 § 11; 1911, 341. (See 1907, 180, 259 § 2; 1908, 307, 525; 1909, 375 § 2; 1910, 271, 416; 1912, 263, 283; 1913, 705.) § 6, see 1910, 387 § 5, 416; 1911, 289, 341, 372. R. L. 75, 213.
387 See 1906, 414, 521, 522; 1907, 373, 465; 1908, 563; 1909, 393 § 1, 410; 1911, 562; 1913, 209, 610. R. L. 105.
389 Repealed, 1913, 779 § 25. (See 1906, 413, 489; 1911, 176 § 2, 265; 1912, 368; 1913, 471 § 2.) R. L. 46, 86.
390 In part superseded, 1909, 514 §§ 121–126; 1910, 563; 1911, 727 § 22; 1912, 675 § 6. (See 1908, 605 §§ 7, 8; 1909, 317.) R. L. 102, 189.

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392 See 1908, 529 § 4, 524; 1909, 477; 1910, 374; 1911, 349. R. L. 110, 121.
393 §§ 1, 2, 5 amended, 1913, 536. R. L. 48, 50.
395 Amended, 1911, 507. R. L. 100.
396 Superseded, 1907, 576 §§ 32, 122. R. L. 118.
398 Superseded, 1912, 333. (See 1909, 283.) R. L. 21.
399 Repealed, 1913, 205. (See 1907, 213; 1908, 427; 1911, 375, 731.) R. L. 39, 42.
403 See 1907, 494; 1909, 534 § 19. R. L. 212.
408 Affected, 1908, 493; 1910, 338; 1913, 178. § 1 revised, 1907, 377 § 1; 1913, 179. § 2 revised, 1911, 358; 1912, 335. § 3 revised, 287 § 2, 450; 1913, 245. (See 1913, 178.) R. L. 70, 111.
411 Affected, 1908, 486. R. L. 34.
412 Repeal and substitute, 1909, 534. (See 1907, 203, 408, 494, 580; 1908, 263, 467, 642, 648; 1911, 250; 1913, 803.) R. L. 25, 52, 54, 102.
413 In part superseded, 1906, 489 § 4. Affected, 1907, 158, 195; 1908, 286; 1911, 595; 1913, 796. § 5, see 1911, 176 § 2; 1913, 457. § 8, see 1907, 223, 362, 411; 1911, 265. § 14 amended, 1912, 187. (See 1907, 335; 1908, 465 §§ 2, 3, 6, 637; 1913, 471 § 2.) R. L. 46, 86, 160, 217.
414 Superseded, 1907, 373 § 2; 1911, 562 § 4; 1913, 209. (See 1906, 522.) R. L. 102, 105.
416 Superseded, 1913, 738. R. L. 128.
417 Repealed, 1910, 401 § 2. (See 1906, 463 I §§ 2, 69.) R. L. 111.
418 Superseded, 1909, 504 § 32. R. L. 87.
421 § 1 amended, 1910, 497 § 2. § 2 amended, 1911, 423. § 4 amended, 1907, 517 § 2. (See 1912, 201.) R. L. 100.
423 Superseded, 1908, 604 §§ 92–95. (See 1907, 526 § 1; 1911, 449.) R. L. 16.
425 § 1 amended, 1907, 364. R. L. 75.
427 Superseded, 1909, 514 §§ 112, 145. (See 1907, 193; 1908, 650.) R. L. 106.
435 Superseded, 1909, 514 §§ 1–8. (See 1907, 135; 1908, 306, 462, 485; 1909, 371.) R. L. 107.
436 Superseded, 1907, 563 §§ 1, 26; 1909, 490 IV §§ 1, 20; 527 §§ 1, 8. (See 1907, 452; 1908, 624; 1909, 268 § 1.) R. L. 15.
437 Repealed, 1908, 534 § 2. (See 1909, 477; 1910, 374; 1911, 349.) R. L. 110, 121.
444 Repealed, 1907, 560 § 456. (See 1907, 429.) R. L. 11.
449 § 1 amended, 1913, 726. (See 1906, 450, 468; 1908, 418; 1912, 649 § 10.) R. L. 160.
450 Amended, 1913, 726. R. L. 160.
451 Amended, 1907, 176; 1910, 534 § 1. (See 1912, 649 §§ 2–9.) R. L. 173.
460 §§ 1, 2, 4 repealed, 1910, 439 § 6. (See 1909, 276.) R. L. 7.

463 I § 1 affected, 1907, 245. Amended, 1911, 681. § 2 superseded, 1910, 401; 1912, 622. § 3, see 1912, 496. § 5, see 1908, 552 § 1; 1910, 588, 596; 1911, 487. § 6, see 1908, 495; 1911, 290. § 7 extended, 1908, 599. § 9 amended, 1909, 343. (See 1911, 755 § 7.) § 20, see 1909, 502 §§ 1, 2. § 23 amended, 1908, 542 § 1; 1909, 47 § 1. §§ 23–28, see 1908, 266 § 5, 372 § 1, 552. §§ 23–45, see 1913, 546 § 5. § 25 amended, 1908, 542 § 2. §§ 29, 36 affected, 1908, 372 § 2; 1909, 429. § 34, see 1910, 498; 1911, 486 § 2. § 36, see 1911, 486 § 3. § 37 amended, 1908, 390 § 1; 1911, 486 §§ 1, 2. § 38 amended, 1912, 156. § 39 amended, 1908, 390 § 2. § 41 amended, 1910, 544. § 43 amended, 1909, 358. §§ 46–48, see 1909, 514 § 135. § 47, see 1909, 502 § 1. §§ 48–56, see 1909, 485. § 58, see 1908, 552. §§ 59, 60, see 1910, 187. § 63 amended, 1907, 392 § 1; 1911, 635; 1912, 354. § 67 amended, 1907, 585 § 7. (See 1910, 443.) § 68, see 1906, 463 II §§ 22, 45–58, 60, 147, 155, 156, 173–176, 516 § 12; 1907, 428; 1909, 485. R. L. 48, 111.

II § 6, see 1910, 187. (See 1912, 725 I § 5, II §§ 2–5; 1913, 777.) § 41 affected, 1910, 171. § 48 amended, 1912, 725 II § 5. §§ 48–56, see 1909, 485. §§ 48, 57, 65, 66, see 1908, 620, 636; 1909, 369. § 65, see 1912, 725 I § 6. § 66 amended, 1912, 725 II § 4. § 73 amended, 1912, 725 II § 2. § 78, see 1912, 725 II § 1. § 83 revised, 1912, 725 II § 3. § 92, see 1912, 725 I § 5. §§ 105–125, see 1913, 546 § 5, 765. § 116 amended, 1907, 315. § 143 amended, 1913, 161. § 157 amended, 1910, 355. § 158 *et seq.*, see 1911, 539. § 167 superseded, 1909, 514 §§ 143, 145. (See 1908, 553.) § 170 *et seq.*, see 1911, 491. § 172, see 1911, 120. § 173 superseded, 1909, 348. § 177, see 1911, 120. § 179, see 1911, 539. § 180, see 1908, 495. § 181, see 1907, 287; 1908, 504. § 183 superseded, 1908, 649. § 184 *et seq.*, see 1911, 508. §§ 202, 203 amended, 1910, 633 §§ 1, 2. § 209 amended, 1907, 585 § 8. §§ 211, 212, 216 amended, 1909, 440 § 2. (See 1907, 395; 1908, 220.) § 214 amended, 1909, 513 § 1. §§ 227, 228, see 1910, 187. § 234 amended, 1909, 233. § 247, see 1907, 431; 1912, 488. § 251, see 1911, 290. § 252 amended, 1912, 375. § 265, see 1913, 290. R. L. 112.

III § 7 amended, 1909, 417 § 1. (See 1908, 266; 1909, 417 § 6; 1910, 518; 1911, 442.) § 13 amended, 1909, 417 § 5. § 22 affected, 1910, 171. §§ 30, 31, see 1910, 187. § 41 superseded, 1907, 402. (See 1902, 288; 1908, 278; 1909, 118; 1913, 765.) § 42 amended, 1910, 551. §§ 46, 64, 65, see 1908, 266, 301; 1910, 518. § 52 amended, 1911, 357. (See 1912, 644; 1913, 765 § 1.) § 55, see 1911, 487; 1912, 644. § 64 amended, 1909, 417 § 2. (See 1909, 417 § 6.) §§ 64–66, see 1911, 442, 509. § 65 amended, 1909, 417 § 3. (See 1909, 417 § 6.) § 68, see 1907, 574 § 6. § 70 amended, 1909, 417 § 4. (See 1909, 417 § 6.) § 77, see 1908, 266, 552. §§ 79, 80, see 1913, 290. § 82 amended, 1911, 290. § 90 amended, 1911, 345; 1913, 598 § 1. § 92, see 1911, 120. § 95 amended, 1912, 533. §§ 96, 97 affected, 1911, 462. § 99 superseded, 1908, 530; 1910, 567. (See 1906, 479.) § 103 amended, 1910, 536.

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465 § 1 amended, 1910, 204. R. L. 19.

468 Amended, 1913, 726. (See 1908, 418; 1909, 434; 1912, 649 § 10; 1913, 446.) R. L. 160.

469 Superseded, 1908, 604 § 140. (See 1906, 504 § 9; 1907, 526 § 11.) R. L. 16.

471 Superseded, 1909, 504 § 49; 1910, 420; 1911, 595 § 11. R. L. 87.

472 Superseded, 1909, 504 § 105; 1911, 604. (See 1909, 274; 1910, 345; 1911, 273.) R. L. 87, 219, 225.

474 Superseded, 1910, 540. R. L. 164.

477 See 1909, 469. R. L. 91.

479 Superseded, 1908, 530; 1910, 567. R. L. 112.

480 Superseded, 1913, 834. (See 1911, 675.) R. L. 108.

482 Superseded, 1908, 477; 1909, 309. (See 1909, 422.) R. L. 92.

489 Affected, 1907, 137, 195. § 3, see 1908, 458. § 4, see 1907, 411; 1913, 457. § 6, see 1908, 637; 1910, 275; 1911, 175, 265. § 7, see 1908, 286; 1909, 181. R. L. 46, 160, 217.

493 Superseded, 1909, 490 I § 5. (See 1910, 123, 137.) R. L. 612.

494 § 1 amended, 1907, 170. R. L. 7.

499 Superseded, 1909, 514 §§ 61–65, 145. (See 1910, 249; 1913, 457, 610.) R. L. 46, 106.

501 Superseded, 1911, 456; 1912, 310. (See 1908, 104; 1909, 180; 1912, 154.) R. L. 153, 212, 220.

502 § 1 amended, 1910, 257 § 1. § 2 amended, 1910, 257 § 2. § 6 amended, 1908, 189. § 7 repealed, 1908, 412. R. L. 39, 42.

503 See 1907, 314; 1911, 199. R. L. 76.

504 Superseded, 1908, 604. (See 1907, 305, 526 §§ 7–14; 1908, 195, 315, 371, 469; Res. 1910, 28; St. 1913, 295.) R. L. 16.

505 §§ 1–6 repealed, 1911, 471. (See 1908, 572, 639; 1909, 457, 540.) R. L. 42, 86.

508 Affected, 1907, 421. §§ 1–8, 12–17 repealed, 1909, 504 § 107. (See 1907, 489; 1909, 504 §§ 14, 59–65.) R. L. 87.

516 Extended, 1907, 556 § 1. §§ 2, 8, see 1910, 587. § 6 amended, 1907, 428 § 1. §§ 6–8, see 1912, 725 II § 3. § 7 amended, 1907, 428 § 2; 1908, 450. § 12 amended, 1907, 428 § 3. § 13 amended, 1907, 428 § 4. §§ 14, 15, 20 amended, 1909, 440 § 2. (See 1908, 614; 1909, 490 III § 64.) §§ 14–25, see 1909, 490 III §§ 39–51. § 17 amended, 1909, 513 § 3. §§ 28, 29 (new) added, 1907, 448. R. L. 14, 111, 112.

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517 Superseded, 1909, 514 §§ 37–40, 145; 1911, 494. (See 1907, 269, 570; 1908, 547.) R. L. 106.

521 § 1 superseded, 1913, 610 § 1, 834. (See 1907, 465; 1908, 563; 1909, 393; 1911, 619, 656, 675; 1912, 726 § 5.) R. L. 105, 108.

522 § 1 amended, 1909, 410; 1911, 561 § 4. (See 1911, 675.) Affected, 1907, 451, 465 § 25; 1908, 375; 1913, 610. (See 1908, 563; 1909, 393; 1912, 726 § 5.) R. L. 105, 108.

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43 See 1909, 468 § 1. R. L. 79.

54 §§ 1, 2 superseded, 1908, 536 §§ 1, 2; 1909, 483 § 8; 1913, 317. R. L. 58, 121.

79 Repealed and superseded, 1909, 371 §§ 2, 10. (See 1908, 462, 481 § 1.) R. L. 107.

99 Amended, 1909, 508 §§ 1, 3; 1910, 472. (See 1911, 198; 1912, 567.) R. L. 92.

117 § 1 amended, 1908, 142 § 1. § 2 amended, 1908, 142 § 2. R. L. 25, 26.

118 See 1907, 250; 1912, 567. R. L. 92.

128 § 1, see 1912, 563. § 2 amended, 1912, 604. § 3 in part repealed, 1913, 414 § 2. R. L. 160.

133 § 1, see 1907, 312. R. L. 165.

135 § 1 superseded, 1909, 514 § 7. (See 1908, 485 § 6; 1909, 371 § 2.) R. L. 106, 107.

139 Construed, 1908, 638. § 1, see 1908, 414, 597 §§ 1, 5. § 2 amended, 1907, 276; 1908, 597 § 2; 1911, 294; 1912, 512 § 2. R. L. 6.

140 Amended, 1910, 172 § 2. (See 1907, 190, 308.) R. L. 76, 100.

159 See 1911, 736 § 4. R. L. 151.

163 Amended, 1912, 13. R. L. 3.

164 Superseded, 1909, 514 §§ 104, 145. (See 1907, 537 § 5.) R. L. 106.

166 Repealed, 1909, 466 § 2. (See 1908, 284, 413; 1910, 564; 1911, 118, 172.) R. L. 92.

169 § 1 repealed, 1909, 504 § 107. (See 1909, 504 § 99; 1911, 206.) § 3, see 1908, 116. R. L. 145.

177 Amended, 1908, 356; 1910, 330. R. L. 49.

180 See 1907, 259; 1908, 307; 1909, 375; 1910, 271, 387, 416, 451; 1911, 30, 289, 341, 372; 1912, 263, 283; 1913, 705. R. L. 75, 213.

181 Superseded, 1909, 490 I § 57. (See 1908, 387 § 2.) R. L. 12.

183 See 1907, 386, 445; 1913, 210. R. L. 75.

186 See 1911, 137; 1913, 545, 657, 671, 681, 697. R. L. 25.

190 Amended, 1913, 410 § 1. (See 1907, 308.) R. L. 100.

191 See 1912, 554. R. L. 48.

193 Superseded, 1909, 514 §§ 112, 145; 1910, 350. (See 1908, 650; 1911, 208, 249.) R. L. 106.

195 § 1, see 1908, 286; 1911, 175. R. L. 46, 160.

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198 Repeal and substitute, 1911, 614. (See 1908, 402, 484; 1909, 262; 1911, 235, 722; 1912, 379.) R. L. 92, 102.
203 Superseded, 1909, 534 §§ 15, 31. (See 1907, 408, 494, 580; 1908, 263, 467, 648; 1910, 605; 1913, 803. R. L. 52, 54, 102.
204 See 1910, 417. R. L. 73.
206 Superseded, 1910, 335. R. L. 164.
208 See 1908, 195. R. L. 75.
211 See 1907, 500 §§ 2, 3. R. L. 102.
213 Repealed, 1913, 205. (See 1908, 427; 1911, 375, 731.) R. L. 39, 42.
214 See 1910, 383. R. L. 102.
216 See 1908, 643. R. L. 56.
222 § 1 amended, 1912, 468. R. L. 88.
224 Superseded, 1909, 514 §§ 59, 145; 1913, 779 § 19. R. L. 106.
225 See 1912, 64. R. L. 22.
226 See 1909, 504 §§ 98, 107. R. L. 87.
229 See 1912, 257. R. L. 96.
232 § 4 superseded, 1908, 604 § 170. R. L. 16.
240 § 1 amended, 1908, 182; 1910, 629; 1911, 391. R. L. 102.
241 Amended, 1910, 392. R. L. 102.
243 See 1908, 411 § 1; 1911, 297 § 6. R. L. 56, 75, 89.
246 Superseded, 1909, 490 III § 21; 1912, 189. (See 1911, 618.) R. L. 14.
250 See 1912, 567. R. L. 92.
251 § 2 amended, 1910, 347. (See 1910, 316.) R. L. 220.
252 Superseded, 1910, 356. (See 1910, 316.) R. L. 220.
259 See 1908, 307; 1909, 375; 1910, 271, 387, 416, 451; 1911, 30, 289, 341, 372; 1912, 263, 283. R. L. 75, 213.
261 Amended, 1910, 332; 1911, 116. R. L. 217.
267 Superseded, 1909, 514 § 51. (See 1911, 229, 313, 484.) R. L. 106.
269 Superseded, 1909, 514 §§ 37–40, 145. (See 1907, 570; 1911, 484, 494.) R. L. 106.
271 See 1908, 555, 598. (See 1909, 292, 391.) R. L. 84.
272 See 1911, 624. R. L. 19, 108.
274 Superseded, 1908, 385 § 2. R. L. 102, 313.
276 See 1908, 469, 597; 1911, 294. R. L. 6.
282 § 1 amended, 1908, 180. R. L. 109, 110.
283 In part superseded, 1907, 534 § 3. (See 1909, 310, 424 § 2.) R. L. 62.
285 In part repealed, 1911, 411 § 10. § 4 amended, 1913, 504. R. L. 91.
286 See 1911, 567. R. L. 157.
287 Amended, 1908, 504. R. L. 69, 111.
289 Repealed, 1911, 388 § 12. R. L. 57.
294 Superseded, 1908, 149. (See 1909, 160; 1910, 273.) R. L. 127.
295 See 1907, 357. R. L. 42.
296 Superseded, 1909, 377; 1910, 469. R. L. 91.
297 Repealed, 1909, 403; 1910, 177. (See 1908, 270.) R. L. 91.
299 Affected, 1911, 722 § 3. (See 1908, 255.) R. L. 91.
300 Superseded, 1908, 330. R. L. 92.
303 See 1908, 330. R. L. 91.

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305 Superseded, 1908, 604 §§ 30, 95. (See 1912, 444; 1913, 468.) R. L. 16.
306 Superseded, 1911, 285. R. L. 91.
307 Superseded, 1913, 529. (See 1908, 377; 1909, 396; 1910, 545; 1912, 388.) R. L. 92.
308 Amended, 1909, 261 § 1. R. L. 100.
309 § 1 amended, 1909, 254. (See 1908, 335.) R. L. 102.
316 Amended, 1910, 539. R. L. 121.
318 Superseded, 1909, 490 III § 51. R. L. 14.
319 § 1 revised, 1908, 520 § 14. § 2 amended, 1912, 73. (See 1909, 490 III § 37; 1910, 216, 399.) R. L. 116.
320 § 1 amended, 1908, 520 § 13. (See 1909, 342 § 2.) R. L. 116.
321 Superseded, 1912, 507. (See 1909, 444; Res. 1911, 103.) R. L. 89.
323 Superseded, 1911, 454. R. L. 160.
328 Amended, 1913, 85. R. L. 175.
329 § 1 amended, 1908, 193; 1909, 490 I § 11. R. L. 12, 14.
330 Superseded, 1907, 560 §§ 111, 456. R. L. 11.
332 § 1 amended, 1913, 257. (See 1908, 528; 1911, 70.) R. L. 109, 167.
334 § 1 amended, 1912, 459. (See 1913, 305.) R. L. 167.
340 Repeal and substitute, 1908, 590 §§ 56, 57, 69; 1912, 70. (See 1907, 417.) R. L. 113.
343 § 1 amended, 1909, 201. R. L. 27, 106.
344 Amended, 1910, 608. R. L. 19.
351 Superseded, 1912, 623 § 30. (See 1913, 369.) R. L. 114.
354 Superseded, 1909, 468 §§ 17, 18. R. L. 79.
355 Amended, 1910, 532. R. L. 102.
356 Superseded, 1908, 604 §§ 26, 27. (See 1912, 444; 1913, 468.) R. L. 16.
359 Amended, 1909, 174. R. L. 10.
363 See 1908, 133; 1909, 302; 1913, 281. R. L. 212.
365 See 1910, 284. R. L. 104.
366 Amended, 1913, 370. R. L. 214.
367 Superseded, 1909, 490 I § 5; 1910, 333. R. L. 12.
373 § 1 amended, 1911, 562 § 1. § 2 amended, 1911, 562 § 4; 1913, 209. § 3 amended, 1911, 562 § 6. § 4 amended, 1911, 562 § 7. (See 1907, 465; 1908, 563; 1909, 393; 1912, 726 § 5; 1913, 610.) R. L. 102, 105.
375 Amended, 1911, 31. R. L. 171.
377 Affected, 1908, 493; 1910, 338; 1913, 178. § 1 amended, 1913, 179. § 7 repealed, 1909, 287 § 1. (See 1909, 450; 1910, 338; 1911, 358; 1912, 335.) R. L. 70, 109, 111.
378 Superseded, 1909, 490 II § 20. (See 1908, 299; 1909, 512; 1911, 75.) R. L. 13.
383 Repealed, 1911, 428. (See 1912, 489.) R. L. 110, 214.
386 § 1 amended, 1909, 380. (See 1907, 445; 1909, 391.) R. L. 75.
392 § 1 amended, 1911, 635; 1912, 354. R. L. 111.
394 § 1 amended, 1911, 163. R. L. 62.
395 Superseded, 1909, 490 III § 41; 1910, 270. R. L. 14.
402 See 1908, 278; 1909, 118. R. L. 12.

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408 Superseded, 1909, 534 §§ 24, 31. (See 1907, 494, 580; 1908, 648 § 3; 1913, 803.) R. L. 47, 52, 54, 102.
410 § 1 superseded, 1908, 150. R. L. 213.
411 See 1908, 286, 465, 637; 1909, 216; 1910, 332; 1912, 187; 1913, 457. R. L. 46, 160.
413 In part superseded, 1907, 537 § 5. (See 1909, 514 § 89; 1911, 603.) R. L. 106.
417 See 1910, 370. R. L. 116.
421 See 1909, 504 § 59. R. L. 87.
427 Superseded, 1909, 490 II § 13; 1909, 512. R. L. 13.
428 § 2 amended, 1908, 450. R. L. 112.
429 Repealed, 1907, 560 § 456. R. L. 11.
431 Affected, 1909, 394; 1910, 398. R. L. 111.
432 Superseded, 1909, 504 §§ 57, 58, 107; 1911, 71. R. L. 87.
433 See 1908, 324. R. L. 28.
442 §§ 1, 2 amended, 1908, 541 §§ 1, 2. § 3 amended, 1909, 248; 1910, 266. § 4 revised, 1912, 584. (See 1911, 668.) R. L. 164.
443 See 1909, 49. R. L. 165, 210.
445 See 1909, 391; 1911, 613. R. L. 75, 84.
451 Affected, 1908, 375; 1913, 610. (See 1909, 410; 1911, 561; 1912, 726 § 5.) R. L. 108.
452 Affected, 1907, 563 § 11; 1909, 490 IV §§ 10, 11. (See 1908, 624.) R. L. 15.
458 See 1909, 398; 1910, 459; 1911, 725; 1912, 55, 447. R. L. 19, 106.
463 See 1908, 335, 494; 1910, 143. R. L. 102, 104.
465 § 1 amended, 1908, 563 § 1; 1909, 393 § 1; 1912, 531 § 1. § 2 amended, 1912, 531 § 2. § 4, see 1910, 284; 1911, 619, 656; 1912, 726 § 5. § 5 amended, 1912, 531 § 3. § 6, see 1909, 393 § 1. § 13 revised, 1912, 531 § 4. § 14 amended, 1912, 531 § 5. § 15 amended, 1912, 531 § 6. § 17 amended, 1912, 531 § 7. § 18 amended, 1908, 563 § 2. § 25, see 1907, 482; 1908, 479; 1911, 561; 1913, 610 § 5. § 26 amended, 1909, 393 § 2. § 28 amended, 1909, 393 § 3. (See 1911, 561 § 3, 619, 656; 1913, 610.) R. L. 105, 108.
466 § 1 superseded, 1908, 178. (See 1908, 469; 1909, 218.) R. L. 6, 85, 223.
468 Superseded, 1907, 560 §§ 6, 456. R. L. 11.
471 Affected, 1910, 98. R. L. 119.
472 Amended, 1910, 296. R. L. 119.
473 § 1 amended, 1909, 263 § 1. § 2 affected, 1909, 452. (See 1908, 209 §§ 3, 4, 478; 1911, 474.) R. L. 28, 89.
474 § 1 amended, 1910, 198, 491. (See 1912, 592.) § 5 amended, 1908, 532 § 1. § 7 revised, 1908, 532 § 2. § 10 amended, 1912, 17. (See 1908, 533; 1909, 414.) R. L. 88.
475 § 1 amended, 1913, 600 § 1. (See 1908, 209; 1909, 394; 1910, 398; 1911, 244, 722.) R. L. 32, 53.
480 Amended, 1910, 269. (See 1909, 380, 391; 1913, 670.) R. L. 75.
482 Repealed, 1911, 561 § 3. (See 1908, 479; 1913, 610 § 5.) R. L. 108.

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487 Amended, 1913, 206. R. L. 116.
489 Superseded, 1909, 504 §§ 65, 107. R. L. 87.
490 See 1907, 582 § 34; 1910, 214; 1911, 150. R. L. 68, 69.
494 Superseded, 1909, 534 §§ 19, 31. (See 1907, 580; 1908, 648; 1913, 803.) R. L. 47, 52, 54, 102.
499 Repealed, 1908, 487 § 3. R. L. 104.
503 § 2 superseded, 1909, 514 §§ 94, 103, 145. (See 1913, 610 § 2.) R. L. 104, 106.
517 § 1 amended, 1910, 497 § 1; 1912, 201. (See 1911, 423.) R. L. 100.
520 See 1907, 555; 1908, 303; 1909, 504 § 8; 1910, 220 § 3; 1913, 745. R. L. 6, 89.
521 § 1 amended, 1910, 150; 1913, 600 § 2. § 2 amended, 1911, 474. § 3 amended, 1911, 242. (See 1908, 591; 1909, 263; 1913, 605.) R. L. 25, 26, 89, 101.
524 §§ 3, 4 amended, 1909, 177 §§ 1, 2. R. L. 75.
526 Superseded, 1908, 604 §§ 12, 127–140. R. L. 16.
533 See 1908, 590 § 16; 1909, 491 § 4. R. L. 113.
534 § 2 amended, 1910, 465; 1911, 632; 1912, 256. (See 1908, 195, 469; 1909, 424 § 2; 1913, 592.) § 3 affected, 1909, 310. R. L. 62.
537 § 1 revised, 1910, 523 § 1. § 2 revised, 1910, 523 § 2. §§ 3–5, see 1908, 325 § 3, 329; 1909, 514 §§ 89, 105, 106; 1910, 394, 405 § 1; 1911, 282, 603, 709. § 5, see 1911, 603 §§ 1, 4; 1912, 726 § 5. § 6 revised, 1910, 523 § 3. § 7, see 1910, 405 § 4. R. L. 75.
539 § 2 amended, 1908, 316. R. L. 109, 110, 214.
543 Repealed, 1913, 835, § 503. (See 1907, 560 § 166; 1909, 356; 1910, 520.) R. L. 11.
549 See 1907, 553; 1911, 751 II § 21. R. L. 141.
550 § 1 amended, 1913, 704 § 1. § 6 amended, 1910, 631. § 7, see 1913, 806. § 40 amended, 1913, 704 § 2. § 75 in part repealed, 1913, 586 § 3. § 105 amended, 1912, 370; 1913, 50. § 111 amended, 1908, 336; 1909, 313. § 128 amended, 1913, 586 § 1. § 132 amended, 1913, 586 § 2. R. L. 104.
555 See 1908, 303. R. L. 6.
560 Repealed, 1913, 835 § 503. (See 1907, 579, 581; 1908, 85, 345, 391, 423, 428, 461, 480, 518; 1909, 149, 264, 344, 356, 440, 492; 1910, 44, 55, 110, 147, 182, 200, 246, 520; 1911, 222, 243, 304, 353, 378, 517, 534, 679; 1912, 252, 254, 266, 398, 471, 515, 641; 1913, 210, 286, 431, 679, 686.) R. L. 11.
561 § 11 amended, 1908, 222. (See 1907, 576.) R. L. 113, 118.
563 In part superseded, 1909, 490 IV, 527; 1911, 191; 1912, 678; 1913, 689. (See 1908, 550 § 4.) § 1 amended, 1909, 268 § 1, 527 § 1; 1912, 678 § 1; 1913, 498. § 2 amended, 1912, 678 § 2. § 3 in part repealed, 1912, 678 § 2. § 4 amended, 1909, 527 § 2. § 5, see 1909, 527 § 9. § 6 amended, 1909, 527 § 3; 1913, 689. (See 1910, 440; 1911, 191.) § 7 amended, 1909, 527 § 4. § 12, see 1912, 360. § 13 amended, 1909, 527 § 5. (See 1910, 440.) § 14 amended, 1908, 268; 1909, 527 § 6. §§ 15, 16 in part repealed, 1912, 678 § 2. § 16

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revised, 1909, 527 § 7. §§ 20, 21, 24, see 1909, 266 § 1. § 23, see 1911, 191. § 25 in part repealed, 1909, 527 § 8. § 26 in part repealed, 1908, 104 § 2. (See 1908, 624; 1909, 527 § 8; 1912, 678 § 3.) R. L. 14, 15.

564 §§ 1, 2 superseded, 1909, 490 III §§ 1, 2. § 2 amended, 1909, 430 § 1; 1913, 792. (See 1907, 586; 1912, 543.) R. L. 14.

570 Superseded, 1909, 514 § 37; 1911, 494 § 1. R. L. 106.

571 § 1 amended, 1912, 192. (See 1908, 208.) R. L. 65.

576 § 2, see 1909, 514 § 30. § 3, see 1910, 559 § 1. § 4, see 1908, 195, 469; 1911, 493. § 5 amended, 1911, 292; 1912, 149, 407. § 6 amended, 1911, 329. § 6 *et seq.*, see 1910, 619 §§ 8–10; 1913, 474 § 3. § 7, see 1910, 493 § 7. § 8, see 1911, 339. § 11 amended, 1911, 54, 315; 1912, 74. (See 1908, 151; 1911, 493; 1912, 162.) § 15 amended, 1911, 429 § 4. § 17 amended, 1911, 51. § 19, see 1909, 267, 490 I § 41. § 20 amended, 1909, 345. §§ 23, 24, see 1912, 139. § 26 amended, 1908, 473. § 27 amended, 1913, 613. § 29, see 1911, 361. § 32 amended, 1908, 248, 509; 1910, 499 § 1; 1913, 174, 334. Affected, 1908, 511, 543; 1909, 192; 1911, 251. Cl. 2, see 1908, 511 § 3; 1910, 185. Cls. 2, 7, 8 amended, 1913, 541. Cl. 5 affected, 1908, 646; 1910, 493; amended, 1913, 334. (See 1911, 751 IV, V § 3.) Cl. 7 revised, 1913, 235. §§ 32–35, see 1912, 139. § 33, see 1908, 163. § 34 amended, 1908, 81; 1909, 488; 1910, 499 § 2; 1911, 205; 1912, 524; 1913, 489. (See 1911, 251; 1912, 139.) § 34a, see 1910, 493. § 35, see 1909, 294, 407, 514 § 30; 1910, 339; 1911, 111, 628. § 36, see 1910, 171. § 37 amended, 1909, 92, 95; 1910, 375. § 39 amended, 1912, 396. § 42 amended, 1912, 403. § 44 amended, 1908, 471. § 46 repealed, 1909, 390 § 2. § 47 revised, 1908, 482; 1909, 390 § 1; 1910, 463. § 50 revised, 1913, 343. § 57 *et seq.*, see 1911, 493. § 59, see 1910, 552 § 2. § 60 amended, 1911, 406. (See 1910, 489, 552.) § 60 *et seq.*, see 1913, 535, 625. § 61 revised, 1912, 330. (See 1909, 256; 1911, 344.) § 66, see 1912, 119, 623. §§ 66, 68, see 1909, 490 III §§ 26–36, 491 § 4. § 69 amended, 1910, 256. § 73 amended, 1909, 242. § 74 amended, 1909, 467. § 75, see 1910, 493; 1912, 119. § 80 amended, 1908, 166; 1910, 366; extended, 1911, 361. §§ 80, 81, see 1908, 436. § 84 amended, 1909, 415; 1913, 247. § 88 amended, 1908, 165. § 92 revised, 1911, 429 § 1. § 93 amended, 1908, 170; 1911, 429 § 1. § 95 revised, 1911, 429 § 3; 1913, 181. (See 1913, 510.) § 100, see 1911, 628 § 4. § 101 affected, 1912, 162. § 121 amended, 1910, 426. § 177 amended, 1912, 446 § 1. R. L. 118, 119.

577 Superseded, 1909, 514 §§ 52, 145. (See 1908. 126, 273, 333, 343, 385.) R. L. 98, 106.

578 Superseded, 1909, 490 III § 56. R. L. 14.

579 Repealed, 1913, 835 § 503. R. L. 11.

580 Repeal and substitute, 1909, 534. (See 1908, 642, 648; 1913, 803.) R. L. 47, 52, 54, 102.

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581 Repealed, 1913, 835 § 503. (See 1908, 483; 1910, 55; 1911, 422, 679.) R. L. 11.
582 § 18, see 1909, 227; 1912, 649; 1913, 228. R. L. 69, 173.
584 § 10 superseded, 1909, 329. R. L. 52, 102.
586 Superseded, 1909, 490 III §§ 72–79. (See 1908, 194, 615; 1909, 440 § 2.) R. L. 14.

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81 Amended, 1909, 488; 1910, 499 § 2; 1911, 205; 1912, 524; 1913, 489. (See 1911, 251; 1912, 139.) R. L. 118.
83 Repealed, 1913, 835 § 503. R. L. 11.
85 Repealed, 1913, 835 § 503. R. L. 11.
99 § 1 superseded, 1909, 490 II § 32. § 2 superseded, 1909, 490 II § 85. R. L. 13.
104 See 1909, 180; 1911, 456; 1912, 154, 264, 310. R. L. 212.
110 § 1 amended, 1909, 166. § 2 amended, 1913, 211. R. L. 164.
116 Amended, 1908, 505. (See 1911, 389.) R. L. 116, 145.
120 Superseded, 1909, 490 I § 6. (See 1909, 187.) R. L. 12.
121 Amended, 1911, 736 § 5. R. L. 151.
126 Amended, 1908, 273; 1911, 328. (See 1908, 333, 343, 385; 1909, 423 § 5; 1910, 327.) R. L. 98.
127 See 1912, 649 § 1.
133 See 1909, 302; 1913, 281. R. L. 212.
149 See 1909, 160; 1910, 273. R. L. 127.
166 Amended, 1910, 366; extended, 1911, 361; 1912, 52. R. L. 118.
169 Amended, 1910, 87. R. L. 102.
173 See 1908, 443; 1909, 50, 147; 1910, 80; 1911, 667; 1912, 109, 142. R. L. 9.
177 See 1908, 516; 1909, 236; 1911, 212; 1912, 317; 1913, 716. R. L. 173.
178 See 1908, 469; 1909, 218; 1910, 488; 1912, 145. R. L. 6.
179 Amended, 1910, 540 § 1. R. L. 158, 164.
181 Amended, 1910, 524. (See 1911, 247; 1912, 368 § 3.) R. L. 42.
182 Amended, 1910, 629; 1911, 391. R. L. 102.
191 Extended, 1912, 462. R. L. 160.
193 Superseded, 1909, 490 I § 11. (See 1911, 135 § 3.) R. L. 12.
194 Superseded, 1909, 490 III §§ 72, 79. (See 1908, 615; 1909, 440 § 2.) R. L. 14.
205 § 2 amended, 1909, 424 § 1. R. L. 57.
208 See 1912, 192. R. L. 65.
209 § 1 revised, 1911, 244 § 1; 1912, 419 § 2. § 4 revised, 1911, 244 § 2; 1912, 419 § 3. § 5 revised, 1911, 244 § 3. (See 1909, 394; 1910, 398; 1911, 722.) R. L. 28, 32.
210 § 1 amended, 1909, 332. R. L. 19, 106.
217 Superseded, 1909, 514 §§ 27, 145. (See 1910, 445.) R. L. 106.
219 Repealed, 1908, 382 § 2. R. L. 110.
220 See 1909, 490 III § 68, 517. R. L. 14.
221 Repealed, 1913, 655 § 61. (See 1913, 610 § 2.) R. L. 104, 108.

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226 Superseded, 1909, 490 III § 76. R. L. 13.
228 Superseded, 1909, 514 §§ 26, 145. R. L. 106.
229 See 1909, 60; 1913, 464. R. L. 2, 206.
231 Amended, 1913, 791. (See 1909, 248; 1910, 266.) R. L. 164.
237 §§ 18–40. (See 1910, 214.) R. L. 68, 69.
238 See 1908, 525 § 3; 1911, 289; 1912, 283. R. L. 75, 76.
245 § 3 amended, 1912, 500. R. L. 89, 92.
247 Superseded, 1909, 490 II § 82. R. L. 13.
248 Amended, 1910, 499 § 1; 1913, 334. (See 1908, 509; 1911, 251; 1912, 139.) R. L. 118.
250 See 1908, 464, 594; 1909, 136, 148. R. L. 21, 27.
263 See 1909, 534 § 17; 1913, 803. R. L. 25, 26, 52.
266 See 1910, 518; 1911, 442. R. L. 112.
268 Superseded, 1909, 527 § 6. (See 1908, 550; 1909, 490 IV § 14; 1912, 678; 1913, 498.) R. L. 14, 15.
269 § 2 amended, 1912, 442 § 2. R. L. 87.
270 Repealed, 1909, 403; 1910, 177. R. L. 91.
273 Amended, 1911, 328. (See 1908, 333, 343, 354, 385; 1909, 423 § 5; 1910, 327.) R. L. 98.
278 Extended, 1909, 118. R. L. 112.
281 Repealed, 1913, 413 § 4. R. L. 100.
284 Superseded, 1910, 564; 1911, 172. R. L. 92.
286 See 1908, 465, 637; 1909, 216; 1910, 332; 1912, 187; 1913, 457, 471. R. L. 46, 160.
288 Superseded, 1910, 645. (See 1905, 370 § 2; 1910, 555 § 3.) R. L. 201.
289 See 1912, 672. R. L. 160.
294 § 2 superseded, 1909, 301; 1911, 377. R. L. 76.
295 See 1909, 256. R. L. 149.
296 Affected, 1910, 363. § 2 amended, 1910, 321. (See 1908, 297.) R. L. 47, 53.
299 Superseded, 1909, 490 II § 20. (See 1909, 512; 1911, 75.) R. L. 13.
300 § 1 amended, 1909, 326. R. L. 109, 110.
304 Amended, 1910, 219 § 1. R. L. 57.
305 Amended, 1903, 324. (See 1910, 166; 1912, 221.) R. L. 51.
306 Superseded, 1909, 514 §§ 8, 9, 145. (See 1908, 462 § 5; 1909, 371 § 6.) R. L. 106, 107.
307 Repealed, 1910, 387 § 11. (See 1908, 525; 1909, 375; 1910, 271, 416; 1911, 289, 341; 1913, 705.) R. L. 75, 213.
314 Amended, 1908, 387 § 2. (See 1909, 490 I §§ 57, 60, 62; 1912, 222, 312; 1913, 694.) R. L. 12, 14.
315 Superseded, 1908, 604 § 90. R. L. 16.
317 Superseded, 1908, 604 § 174. R. L. 16.
318 Superseded, 1909, 490 III § 59; 528 § 1. R. L. 14.
325 Affected, 1910, 543. (See 1909, 514 § 85.) § 3, see 1912, 726 § 5. R. L. 106.
327 Increase, 1912, 353. R. L. 164.

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329 Amended, 1909, 474. § 2, see 1912, 726 § 5. R. L. 78, 108. (See 1908, 411; 1909, 471, 474, 476; 1911, 297; 1912, 248.) R. L. 56, 75.
333 See 1908, 343, 354, 385; 1909, 423 § 5; 1910, 327. R. L. 98, 106.
335 Repealed, 1913, 655 § 61. (See 1908, 385; 1910, 143; 1913, 610 § 2.) R. L. 102, 104, 108.
336 Amended, 1909, 313. R. L. 104.
341 § 1 amended, 1911, 350. R. L. 27.
342 Superseded, 1910, 421 § 2. R. L. 10.
343 See 1908, 354, 385; 1909, 423 § 5; 1910, 327. R. L. 98, 106.
344 Superseded, 1908, 604 § 16. R. L. 16.
345 Repealed, 1913, 835 § 503. R. L. 11.
348 Revised, 1913, 339. R. L. 160.
349 Repealed, 1912, 174. R. L. 21.
350 § 1 amended, 1911, 548 § 2. § 2 amended, 1908, 583. (See 1912, 391.) R. L. 211, 214.
354 Superseded, 1908, 604 § 170. (See 1909, 423 § 5.) R. L. 16, 98, 106.
356 § 1 amended, 1910, 330. R. L. 49.
358 § 2 superseded, 1909, 230. R. L. 165.
365 Amended, 1910, 273. R. L. 204.
371 Superseded, 1908, 604 § 174. R. L. 16.
372 § 1, see 1911, 214. § 2 amended, 1909, 429. (See 1908, 542; 1911, 486.) R. L. 111.
377 Superseded, 1913, 529. (See 1909, 396; 1910, 545; 1912, 388, 438.) R. L. 92.
378 See 1911, 143, 297 § 6. R. L. 90.
380 Superseded, 1909, 514 §§ 141, 145. (See 1908, 457; 1909, 363; 1911, 751 I § 4.) R. L. 106.
385 § 1 amended, 1909, 189. (See 1910, 143.) R. L. 98, 102.
386 See 1913, 259. R. L. 212.
387 Superseded, 1909, 490 I §§ 56, 57. (See 1912, 312 § 1; 1913, 694.) R. L. 12.
389 Repealed, 1913, 655 § 61. (See 1909, 354; 1912, 726 § 5; 1913, 610 § 2.) R. L. 108.
390 § 1 amended, 1911, 486 §§ 1, 2. R. L. 111.
391 Repealed, 1913, 835 § 503. R. L. 11.
402 Repeal and substitute, 1911, 614. (See 1908, 484; 1909, 262, 325; 1910, 319, 614; 1911, 235; 1912, 379.) R. L. 92, 102.
405 Superseded, 1909, 468 § 4. R. L. 79.
411 § 1 amended, 1912, 448. (See 1910, 590.) R. L. 56.
413 Superseded, 1911, 118. (See 1909, 466; 1910, 533; 1911, 172.) R. L. 92.
418 Amended, 1913, 726. (See 1912, 649 § 10; 1913, 446.) R. L. 160.
420 Superseded, 1909, 514 §§ 127, 145. (See 1908, 553.) R. L. 106.
423 Repealed, 1913, 835 § 503. R. L. 11.
425 Repealed, 1913, 835 § 503. R. L. 11.
427 Amended, 1911, 537. (See 1911, 375; 1913, 396.) R. L. 39, 42.

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428 Repealed, 1913, 835 § 503. R. L. 11.
433 Superseded, 1909, 490 III § 5. (See 1912, 272.) R. L. 14.
434 § 1 amended, 1912, 71. (See 1912, 352.) R. L. 6.
435 See 1913, 761. R. L. 56, 75.
440 Amended, 1913, 612 § 2. (See 1909, 434; 1911, 8.) R. L. 160, 217.
441 Superseded, 1911, 356 § 5; 1912, 270. (See 1909, 272; 1910, 365; 1911, 236 § 2.) R. L. 92.
443 See 1909, 50, 147; 1910, 80; 1912, 109; 1913, 392. R. L. 9.
452 In part superseded, 1909, 289. R. L. 25.
454 Affected, 1911, 503. (See 1912, 651; 1913, 709.) R. L. 56, 214.
457 Superseded, 1909, 514 §§ 129, 130, 145. R. L. 106.
459 §§ 1, 2 amended, 1910, 429 §§ 1, 2. (See 1911, 186.) R. L. 89.
460 Repealed, 1909, 436 § 4. R. L. 89.
461 Repealed, 1913, 835 § 503. R. L. 11.
462 Superseded, 1909, 371 §§ 1–3. (See 1908, 481, 485.) R. L. 107.
463 See 1911, 628 § 33. R. L. 118, 119.
464 § 1 superseded, 1909, 490 I § 5 [15]. (See 1908, 594; 1909, 136.) R. L. 12, 21, 27.
465 See 1908, 637; 1909, 216; 1911, 8; 1912, 187. R. L. 217.
467 See 1909, 534 § 17. R. L. 25, 52.
468 See 1909, 490 III § 40, cl. 3; 1912, 124. R. L. 14.
469 Amended, 1912, 66. R. L. 7.
474 Amended, 1912, 61. (See 1912, 185.) R. L. 9.
476 Superseded, 1911, 210, 625. R. L. 25, 26.
477 §§ 1–3 superseded, 1909, 309. R. L. 92.
478 § 1 amended, 1909, 214. (See 1909, 452; 1912, 577.) R. L. 89.
479 Amended, 1911, 561 § 5; 1913, 610 § 5. R. L. 108.
480 Repealed, 1913, 835 § 503. (See 1909, 440 § 2.) R. L. 11, 12.
481 Superseded, 1909, 371 §§ 2, 10. R. L. 107.
482 Amended, 1909, 390 § 1; 1910, 463. R. L. 118
483 Repealed, 1913, 835 § 503. (See 1910, 55; 1911, 422, 679 § 7; 1912, 229.) R. L. 11.
484 Repeal and substitute, 1911, 614. (See 1909, 325; 1910, 319, 614; 1911, 235; 1912, 379.) R. L. 92, 102.
485 Superseded, 1909, 514 §§ 2–7, 145; 1911, 158. (See 1909, 371 § 1.) R. L. 106, 107.
487 Repealed, 1913, 655 § 61. (See 1909, 514 § 105; 1913, 610.) R. L. 106, 108.
488 § 2, see 1910, 548; 1911, 614, 722. R. L. 91.
489 Superseded, 1909, 514 §§ 136–138, 145. (See 1909, 211.) R. L. 106.
493 See 1910, 338; 1911, 358; 1912, 335; 1913, 178, 179. R. L. 70, 111, 114.
496 See 1908, 508. R. L. 5.
498 In part repealed, 1913, 832 § 16. (See 1913, 832 § 15.) R. L. 42.
499 § 1 amended, 1911, 135 § 1. § 2 amended, 1911, 135 § 2. § 5 amended, 1911, 135 § 3. (See 1909, 243, 490 I §§ 10, 11.) R. L. 12, 75.

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502 Amended, 1910, 223 § 1; 1913, 452. (See 1910, 284; 1911, 477.) R. L. 32, 102.
505 See 1911, 389. R. L. 116.
509 Amended, 1908, 543; 1910, 499 § 1; 1913, 541. (See 1908, 511; 1909, 192; 1911, 251; 1912, 139, 311; 1913, 235, 334.) R. L. 118.
510 § 1 amended, 1913, 246. § 2 amended, 1908, 621. R. L. 138.
511 §§ 1–3 revised, 1912, 401 §§ 1–3. (See 1910, 185.) R. L. 118.
513 See 1910, 508; 1912, 223. R. L. 25, 28.
515 § 1 amended, 1912, 608 § 5. R. L. 90.
516 See 1909, 236; 1911, 212; 1912, 317; 1913, 716. R. L. 173.
518 Repealed, 1913, 835 § 503. R. L. 11.
520 Affected, 1909, 342. (See 1909, 490 III §§ 37, 38; 1910, 399; 1911, 148, 389; 1912, 54, 90.) § 8 superseded, 1910, 377. § 11, see 1912, 128. § 12 superseded, 1909, 490 III § 37. §§ 13, 14, see 1912, 70. R. L. 14, 116.
525 § 1, see 1909, 375. § 2 revised, 1913, 720 § 1. § 3 amended, 1910, 172 § 1. (See 1910, 271, 387, 416; 1912, 263, 283.) R. L. 76, 100.
528 See 1911, 70; 1913, 257. R. L. 167.
529 § 4, see 1909, 477. § 5 amended, 1909, 316. Affected, 1911, 349. (See 1910, 124, 374.) R. L. 121, 122.
530 § 1 amended, 1910, 567. (See 1912, 566 § 6.) R. L. 42, 112.
531 See 1911, 218. § 1 affected, 1911, 266 § 1. (See 1910, 495.) § 4 affected, 1911, 266 § 4. R. L. 56, 57, 75.
534 See 1909, 477; 1910, 374; 1911, 349. R. L. 121.
536 Repealed, 1913, 317 § 3. R. L. 121.
537 See 1909, 423 § 5; 1910, 327. R. L. 98.
539 See 1910, 400. R. L. 26, 91.
542 § 1 amended, 1909, 47 § 1. R. L. 111, 112.
543 Affected, 1910, 499 § 1. (See 1909, 192; 1912, 139.) R. L. 118.
547 Superseded, 1909, 514 §§ 55, 145. R. L. 106, 224.
550 Superseded, 1909, 490 III §§ 2, 5–7. (See 1909, 440 § 2, 517, 527; 1913, 792.) R. L. 14, 15.
551 § 15 amended, 1909, 383. R. L. 112.
553 Superseded, 1909, 514 § 143. (See 1909, 363.) R. L. 106, 111.
555 Amended, 1913, 797. Affected, 1909, 292. (See 1909, 391.) R. L. 81, 85.
561 Amended, 1910, 66 § 1; 1912, 522; 1913, 717, 718. R. L. 5.
563 § 1 amended, 1909, 393 § 1; 1912, 531 § 1. (See 1912, 726 § 5; 1913, 610.) R. L. 105.
565 See 1908, 566; 1909, 281; 1911, 48, 440; 1913, 610 § 2. R. L. 104.
566 Affected, 1909, 281; 1911, 48, 440; 1912, 182. (See 1913, 610 § 2.) R. L. 102, 104.
570 See 1909, 405; 1910, 114. R. L. 56, 75.
572 §§ 1–4 repealed, 1911, 471 § 11. (See 1909, 457, 540; 1910, 282; 1911, 466; 1912, 80; 1913, 295.) R. L. 39, 42, 86.
583 See 1911, 548; 1912, 391. R. L. 211, 214.
589 § 5 superseded, 1909, 490 I § 53. R. L. 12.

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590 §§ 1–8, see 1909, 399, 491 § 5; 1911, 81. § 3 amended, 1912, 516; 1913, 294. § 4 amended, 1909, 491 § 2. (See 1911, 148.) § 5 amended, 1909, 491 § 3; 1910, 622 § 1; 1912, 173. (See 1912, 128, 623.) § 8 amended, 1910, 622 § 2. §§ 9–11 superseded, 1910, 399. § 12 amended, 1910, 622 § 3. § 13 amended, 1912, 97. § 15 revised, 1910, 393. § 16 amended, 1909, 491 § 4. (See 1910, 343.) § 17, see 1909, 419 § 4; 1910, 281. § 25 amended, 1909, 491 § 5. § 28 amended, 1910, 622 § 4. § 29 amended, 1910, 622 § 5. § 30 amended, 1910, 622 § 6; 1912, 357. § 32 revised, 1910, 622 § 7. (See 1912, 629 § 1.) § 34 amended, 1910, 622 § 8. § 35, see 1912, 623 § 8. § 36 amended, 1911, 211. § 40 superseded, 1909, 491 § 6; 1912, 171. § 42 repealed, 1910, 622 § 9. § 46 amended, 1909, 491 § 7. (See 1911, 228, 337.) §§ 55, 56, see 1913, 130. § 57 amended, 1912, 70. In part repealed, 1913, 130. § 58 extended, 1912, 122. §§ 64, 65, see 1911, 228. § 68 amended, 1909, 491 § 8; 1910, 622 § 10; 1912, 580; 1913, 291. (See 1912, 128.) Cl. 8 amended, 1909, 491 § 8; 1910, 358. Cl. 9, see 1910, 281. R. L. 113, 116, 162.

591 Affected, 1909, 263; 1911, 474. (See 1910, 150; 1913, 600, 605.) R. L. 28, 89.

594 See 1909, 136, 148, 490 I § 5 [15]; 1910, 379. R. L. 21, 27.

595 See 1910, 255. R. L. 66, 96.

597 § 2 amended, 1911, 294; 1912, 512 § 1. § 4, see 1912, 79, 387. R. L. 6.

601 § 1 amended, 1911, 673. R. L. 222, 223.

604 § 12 revised, 1912, 720 § 1. (See 1909, 300; 1911, 633.) § 13, see 1909, 300. § 14 amended, 1910, 348 § 1; 1912, 593; 1913, 710. § 18 amended, 1912, 365 § 1. § 20 revised, 1912, 720 § 2. (See 1909, 298; 1910, 228; 1911, 145, 326, 633; 1912, 365 § 2.) § 21 repealed, 1912, 365 § 4. § 22 amended, 1911, 670; 1912, 506. § 39 amended, 1910, 348 § 2; 1911, 747; 1913, 733. (See 1913, 268.) § 41 amended, 1911, 298. (See 1911, 326.) § 42 amended, 1910, 299; 1912, 268. (See 1911, 449.) §§ 61–70 superseded, 1912, 464. (See 1912, 138.) §§ 71, 72, 73, see 1912, 444 § 1, 464 § 4. § 79 repealed, 1909, 167 § 1. § 81 affected, 1911, 449. § 90, see Res. 1910, 28. § 91 revised, 1912, 444 § 1. § 92 amended, 1912, 444 § 2. (See 1913, 468.) §§ 93, 94, see 1911, 449. § 96 revised, 1912, 441. (See 1913, 468.) § 103 revised, 1912, 87. § 106 amended, 1912, 67. § 107 amended, 1911, 554. § 110 repealed, 1913, 321. § 124 amended, 1912, 142. § 133 amended, 1909, 323; 1912, 665; 1913, 812 § 1. § 134 amended, 1913, 812 § 2. § 137 amended, 1913, 812 § 3. §§ 141, 142, see 1910, 227; 1913, 530. § 149 repealed, 1912, 116. §§ 151, 152, see 1910, 227, 283; 1913, 530. § 152 affected, 1912, 117. § 158 amended, 1911, 642 § 1. § 160, see 1910, 227. § 162 revised, 1911, 594 § 1. (See 1911, 594 § 2.) § 166, see 1912, 147. § 173 affected, 1909, 298; 1911, 514; amended, 1913, 530. § 174 amended, 1911, 642 § 2; 1912, 399; 1913, 664. (See 1909, 280; 1910, 227.) § 175,

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605 Superseded, 1911, 727; 1912, 675. (See 1909, 278, 317, 419, 514 §§ 121–126; 1910, 563.) R. L. 102, 106, 189.

613 §§ 1, 2, 4 superseded, 1909, 504 §§ 1, 107. (See 1909, 504 § 14.) R. L. 87.

614 Superseded, 1909, 490 III § 64. (See 1909, 440 § 2.) R. L. 14.

615 See 1909, 490 III §§ 72–79. R. L. 14.

620 See 1912, 725 I § 6, II §§ 4, 5. R. L. 111, 112.

621 See 1913, 246. R. L. 138.

624 See 1909, 490 IV § 20; 1911, 191; 1912, 234. R. L. 15.

629 Superseded, 1909, 504 §§ 1, 107. R. L. 87.

636 § 1 amended, 1909, 369. (See 1909, 485.) R. L. 111, 112.

637 § 1 amended, 1909, 216. (See 1910, 332; 1911, 8; 1912, 187.) R. L. 217.

639 See 1909, 472, 489; 1911, 471. R. L. 42, 86.

642 Superseded, 1909, 534 §§ 30, 31. (See 1913, 803.) R. L. 47, 52, 102.

645 Superseded, 1909, 514 §§ 48, 145. R. L. 106.

648 Repeal and substitute, 1909, 534. (See 1913, 803.) R. L. 47, 52, 54, 102.

650 Superseded, 1909, 514 §§ 112, 145. R. L. 106.

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50 See 1909, 147; 1910, 80; 1911, 667; 1912, 109. R. L. 9.

60 See 1909, 229. Res. 1911, 5. R. L. 2, 42.

94 Superseded, 1913, 336. R. L. 6.

116 See 1909, 183. R. L. 159.

131 See 1912, 726 § 5; 1913, 610. R. L. 105.

133 Amended, 1912, 260; 1913, 240. R. L. 124.

136 See 1909, 148; 1912, 377. R. L. 6, 27.

147 See 1910, 80; 1911, 667; 1912, 109, 142; 1913, 392. R. L. 9.

148 Repealed, 1910, 137. R. L. 6.

149 Repealed, 1913, 835 § 503. R. L. 11.

160 See 1910, 273. R. L. 204.

174 See 1912, 252, 308, 473. R. L. 25.

180 Superseded, 1911, 456 § 1; 1912, 310. (See 1912, 264.) R. L. 83, 153, 220.

181 Affected, 1912, 165. (See 1911, 175.) R. L. 83, 86.

186 Amended, 1913, 38. R. L. 204.

192 See 1909, 488; 1910, 499; 1912, 139. R. L. 118.

194 See 1911, 374. R. L. 91.

204 Superseded, 1910, 645. (See 1910, 555 § 3.) R. L. 201.

206 Repealed, 1913, 815 § 9. (See 1909, 225; 1911, 593; 1912, 276.) R. L. 173.

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211 Superseded, 1909, 514 §§ 139, 145. R. L. 106.
213 Repealed, 1913, 835 § 503. R. L. 11.
214 See 1912, 577. R. L. 89.
216 See 1910, 275; 1911, 8; 1912, 187. R. L. 217.
218 See 1910, 488; 1912, 145. R. L. 6.
219 § 2 amended, 1911, 473 § 2. (See 1912, 232.) R. L. 160.
225 Repealed, 1913, 815 § 9. (See 1911, 593; 1912, 276.) R. L. 173.
227 Superseded, 1913, 228. (See 1912, 649 § 1.) R. L. 173.
229 Superseded, 1911, 232. R. L. 42.
235 See 1911, 150. R. L. 168.
236 See 1911, 212, 501; 1912, 317; 1913, 716. R. L. 173.
237 See 1911, 150. R. L. 197.
243 See 1909, 490 I §§ 10, 11; 1911, 135 § 3. R. L. 12, 25, 26.
248 See 1910, 266. R. L. 164.
250 See 1913, 73. R. L. 75, 84.
256 Superseded, 1912, 330. (See 1911, 344.) R. L. 118.
259 Superseded, 1909, 490 II § 45; 1912, 390. R. L. 13.
262 Repeal and substitute, 1911, 614. (See 1909, 325; 1910, 319, 614; 1911, 235; 1912, 379.) R. L. 92, 102.
263 See 1909, 452; 1910, 150; 1911, 474. R. L. 28, 89.
264 Repealed, 1913, 835 § 503. R. L. 11.
266 Affected, 1910, 440. (See 1909, 268, 490 IV § 24; 1911, 191; 1912, 360.) R. L. 15.
267 § 1, see 1909, 490 III § 40; 1911, 379; 1912, 124. § 2 amended, 1909, 439 § 2. (See 1909, 490 III § 34.) R. L. 14.
268 Superseded, 1909, 517 § 1; 1912, 678 § 1; 1913, 498. (See 1909, 490 IV § 1; 1911, 191.) R. L. 15.
271 § 1 amended, 1910, 373. R. L. 22.
272 Superseded, 1911, 356; 1912, 270. (See 1910, 365; 1911, 236.) R. L. 92.
273 § 2 superseded, 1912, 443. R. L. 24.
274 See 1909, 504 §§ 14, 69, 105, 106; 1910, 345. R. L. 87, 219, 225.
276 See 1910, 439. R. L. 7.
278 See 1911, 727. R. L. 119.
281 § 1 amended, 1911, 48. (See 1911, 440; 1912, 182.) R. L. 104, 108.
283 Superseded, 1912, 333. R. L. 21.
287 § 2 amended, 1909, 450; 1913, 245. (See 1910, 338; 1911, 338; 1912, 335; 1913, 178.) R. L. 70, 109.
291 See 1912, 63. R. L. 91.
294 See 1909, 407; 1910, 339; 1911, 111; 1912, 196. R. L. 119.
298 Superseded, 1912, 720 § 2. (See 1911, 145, 326, 623; 1912, 365 § 2.) R. L. 16.
301 Amended, 1911, 377. R. L. 76.
302 See 1913, 281. R. L. 212.
303 See 1912, 380. R. L. 223.
316 See 1910, 124; 1911, 349. R. L. 121, 122.
317 Repealed, 1911, 727 § 24. R. L. 102, 115.

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318 See 1909, 483 § 8. R. L. 58, 121.
319 See 1913, 660. R. L. 75, 110.
320 § 2 amended, 1910, 32. R. L. 75.
323 Amended, 1912, 665; 1913, 812 § 1. R. L. 16.
325 Repeal and substitute, 1911, 614. (See 1910, 319, 614; 1911, 235; 1912, 379.) R. L. 92, 102.
328 Superseded, 1910, 533 § 2; 1911, 101. (See 1906, 278; 1911, 118 § 2; 1913, 626.) R. L. 92.
342 § 1 limited, 1911, 337. (See 1909, 490 III §§ 21, 22, 37, 38; 1910, 216; 1911, 618.) R. L. 14, 116.
343 See 1911, 755 § 7. R. L. 111.
344 Repealed, 1913, 835 § 503. (See 1909, 440 §§ 2, 6; 1913, 679.) R. L. 11, 12.
348 See 1913, 610. R. L. 105.
353 Repealed, 1913, 386 § 2. R. L. 164.
354 Repealed, 1913, 655 § 61. (See 1913, 610.) R. L. 105, 108.
356 Repealed, 1913, 835 § 503. (See 1910, 520 § 3; 1911, 353, 354.) R. L. 11.
357 See 1910, 501. R. L. 160.
362 See 1911, 272, 410; 1912, 379. R. L. 92.
363 See 1909, 514 §§ 127, 134. R. L. 106, 111.
365 Amended, 1912, 336. R. L. 160.
369 See 1909, 485. R. L. 112.
371 See 1909, 514 §§ 1, 2; 1910, 598; 1911, 158; Res. 1909, 41; St. 1913, 706, 727. § 2 amended, 1912, 560 § 1. (See 1911, 59; 1912, 726 § 15.) § 3 amended, 1910, 83; 1911, 74; 1913, 358. § 6, see 1912, 45; 1913, 706 § 3. R. L. 106, 107.
375 Repealed, 1910, 387 § 11. (See 1910, 271, 416; 1911, 289, 341; 1912, 263, 283; 1913, 705.) R. L. 75, 213.
377 § 1 amended, 1910, 469. R. L. 91.
378 Repealed, 1911, 396. R. L. 88.
380 See 1909, 391; 1911, 613. R. L. 75.
381 Amended, 1910, 244. R. L. 219.
384 Affected, 1910, 329. R. L. 164.
390 § 1 amended, 1910, 463. R. L. 118.
391 See 1911, 613; 1913, 670. R. L. 75.
393 § 1 amended, 1912, 531 § 1. (See 1911, 619; 1912, 726 § 5; 1913, 610.) R. L. 105, 108.
394 See 1910, 398; 1911, 722. R. L. 32.
396 Superseded, 1913, 529. (See 1910, 545; 1912, 388, 438.) R. L. 92.
398 Amended, 1910, 459. (See 1912, 447.) R. L. 19, 165.
399 Affected, 1910, 263. § 3 amended, 1911, 81. R. L. 114, 115.
402 § 1 amended, 1909, 542. R. L. 122.
403 Superseded, 1910, 177. R. L. 91.
405 See 1909, 443; 1910, 394, 457; 1911, 278. § 1 amended, 1910, 114. § 3 superseded, 1909, 443 §§ 4, 5. R. L. 56.
407 Amended, 1910, 339. (See 1911, 111.) R. L. 119.

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413 See 1912, 726 § 5; 1913, 610. R. L. 108.
415 Amended, 1913, 247. R. L. 118.
416 See 1910, 73. R. L. 8.
417 See 1911, 442, 481, 509. R. L. 112.
419 See 1909, 490 III § 25, 491 §§ 4, 7; 1912, 623. R. L. 14, 113.
420 § 1 amended, 1913, 590. (See 1913, 619 § 7.) R. L. 89.
421 See 1911, 18, 187; 1912, 567. R. L. 92.
423 § 2 amended, 1913, 451. (See 1910, 327.) R. L. 98.
425 Superseded. St. 1912, 218. R. L. 56.
430 See 1909, 490 III § 2; 1913, 792. R. L. 14.
431 Superseded, 1911, 73. R. L. 164.
436 Superseded, 1910, 627; 1911, 592. R. L. 89.
439 §§ 1, 2 amended, 1909, 440 § 2, 490 I § 23 [10]. (See 1909, 490 III §§ 40, 41, 45; 1911, 382; 1912, 124.) § 3, see 1909, 490 III § 42. § 4, see 1909, 490 III § 45. R. L. 14.
440 Repealed, 1913, 835 § 503. (See 1909, 440; 1912, 471; 1913, 286, 679.) R. L. 11.
441 § 3 (new) added, 1913, 454. (See 1913, 596.) R. L. 109, 116.
444 Superseded, 1912, 507. (See Res. 1911, 103.) R. L. 89.
449 Repealed, 1911, 366 § 2. (See 1909, 490 I § 101.) R. L. 12.
450 Amended, 1913, 245. (See 1910, 338; 1911, 358.) R. L. 70, 111.
452 See 1910, 150; 1911, 474. R. L. 28, 89.
453 § 4 amended, 1913, 545. R. L. 28.
454 Extended, 1913, 773. R. L. 47.
457 § 3 revised, 1910, 282; 1911, 466; 1912, 80; 1913, 421. (See 1913, 295.) R. L. 39.
466 Superseded, 1911, 118. (See 1911, 172.) R. L. 92.
468 § 1 amended, 1912, 549. § 2 amended, 1910, 467. § 3 amended, 1910, 470; 1913, 323. § 4 revised, 1912, 589. § 14, see 1910, 412. § 18 amended, 1913, 475. R. L. 79.
471 Amended, 1911, 297 § 5; 1912, 248 § 1. (See 1909, 474, 476.) R. L. 75, 90.
472 § 2 revised, 1911, 605. R. L. 42, 86.
474 See 1912, 608. R. L. 90.
476 See 1911, 297 § 6; 1912, 248. R. L. 75, 90.
477 § 1 amended, 1910, 374. (See 1911, 349.) R. L. 121.
481 See 1910, 606; 1912, 642; 1913, 543. R. L. 96.
483 § 3 amended, 1912, 233. § 8 repealed, 1913, 317 § 3. R. L. 58, 121.
485 See 1913, 764. R. L. 112.
486 § 10 amended, 1912, 550. § 30, see 1910, 414 § 6. R. L. 225.
488 Amended, 1910, 499 § 2; 1911, 205; 1912, 524. (See 1911, 251.) R. L. 118.
490 I § 3, see 1913, 636. § 5 amended, 1910, 333; 1912, 189. § 7 amended, 1913, 473 § 2. §§ 10–11, see 1911, 135. § 12, see 1910, 650. § 15, see 1911, 75; 1913, 676. § 23 amended, 1909, 516

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II § 13 amended, 1909, 512. § 19 amended, 1913, 599 § 2. § 19, see 1913, 824. § 20, see 1911, 75. § 24, see 1910, 531. § 32 amended, 1913, 237. § 33, see 1912, 272. § 39 amended, 1913, 255; affected, 1912, 360. § 44 amended, 1911, 370. § 45 amended, 1912, 390. § 76, see 1913, 824. § 85, see 1912, 272. § 89 revised, 1913, 311. R. L. 13.

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IV § 1 superseded, 1909, 527 § 1; 1912, 678 § 1; 1913, 498. (See 1909, 268; 1911, 191.) § 2 in part repealed, 1912, 678 § 2. § 3 amended, 1911, 502 § 1. In part repealed, 1912, 678 § 2. § 4 amended, 1909, 527 § 2. § 6 superseded, 1909, 527 § 3; 1913, 689. (See 1911, 191.) § 7 superseded, 1909, 527 § 4. § 12, see 1912, 360. § 13 superseded, 1909, 527 § 5; 1911, 359. (See 1910, 440.) § 14 superseded, 1909, 527 § 6. §§ 15, 16 in part repealed, 1912, 678 § 2. § 16 superseded, 1909, 527 § 7. §§ 19, 20, see 1911, 191; 1912, 234. § 21, see 1910, 440. § 22 amended, 1911, 551. § 23 in part repealed, 1910, 481. § 24, see 1910, 440. § 25, see 1909, 527 §§ 8, 10. R. L. 15.

491 § 2, see 1911, 148. § 3 amended, 1912, 173. (See 1910, 399; 1912, 128.) § 4, see 1910, 343. § 6 amended, 1912, 171. § 7, see 1911, 228, 337, 389. § 8 amended, 1912, 580; 1913, 291. R. L. 113, 115, 116.

492 Repealed, 1913, 835 § 503. (See 1913, 679.) R. L. 11.

493 See 1911, 251. R. L. 118.

494 Amended, 1910, 503; 1913, 791. R. L. 164.

499 See 1911, 251. R. L. 118.

502 § 1 amended, 1910, 558. R. L. 111.

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508 § 3 in part repealed. 1910, 472. (See 1912, 567.) R. L. 92.

514 §§ 1–8, see 1910, 83. § 3 amended, 1911, 158. § 11, see 1910, 445; 1912, 545. § 15 revised, 1913, 444. § 17 amended, 1911, 241; 1912, 191; in part repealed, 1913, 655 § 61. (See 1913, 619 § 5.) § 27, see 1910, 445. § 28 amended, 1912, 495. (See 1913, 690.) § 30, see 1910, 339; 1911, 111, 431. § 37 superseded, 1911, 494 § 1. (See 1911, 151.) § 38 superseded, 1911, 494 § 2. § 42 extended, 1911, 494; 1913, 822. § 47 extended, 1911, 313; 1912, 452. (See 1911, 229; 1913, 365, 610 § 2.) § 48 revised, 1911, 484; 1912, 477; 1913, 758. (See 1911, 151, 313; 1913, 610 § 2.) § 52 affected, 1911, 151. § 56 revised, 1913, 779 § 14, 831 § 1. §§ 57–64 revised, 1913, 779 §§ 15–24. (See 1910, 249, 257; 1911, 269, 310; 1912, 280; 1913, 330, 610 § 2.) §§ 61–64, see 1913, 610 § 2. § 66 revised, 1913, 779 § 23. (See 1911, 241; 1913, 467.) §§ 67, 68, see 1912, 477. § 68, see 1911, 229. § 69, see 1913, 610 § 2. § 73 superseded, 1912, 96. § 74 affected, 1912, 479. (See 1911, 455; 1913, 806.) § 75 superseded, 1910, 404. (See 1912, 726 § 5.) § 80 amended, 1910, 259 § 1. § 80–82, see 1913, 610 § 2. § 82 amended, 1910, 259 § 2. §§ 83, 84, see 1910, 543. § 94 revised, 1912, 318. § 96 in part repealed, 1913, 806 § 13. §§ 97–99 repealed, 1913, 655 § 61. (See 1913, 610 § 2.) § 101, see 1911, 281. § 105 repealed, 1913, 655 § 61. (See 1910, 345; 1911, 603.) § 106, see 1911, 313. (See 1912, 726 § 5.) § 112 amended, 1910, 350; 1911, 208, 249. § 116 amended, 1911, 263. § 117, see 1913, 610 § 2. §§ 121–125 in part superseded, 1911, 727 § 22; 1912, 675 § 6. § 125 amended, 1910, 563. (See 1911, 727 § 22.) §§ 127–135, 141–143 limited, 1911, 751 I § 4. (See 1911, 751 I § 5, IV § 23.) § 132 amended, 1910, 166 § 2, 611; 1911, 178, 751 II § 16; 1912, 251. (See 1912, 172.) §§ 136–140 repealed, 1911, 751 V § 4. § 144 repealed, 1913, 746 § 2. (See 1911, 751 § 18; 1912, 409, 726 § 13; 1913, 610 § 2.) § 145 amended, 1910, 63. R. L. 106, 107, 108.

516 See 1911, 382 § 2; 1913, 458. R. L. 12.

527 § 1 revised, 1912, 678 § 1; 1913, 498. §§ 3, 5, 9 affected, 1910, 440; 1911, 191. § 5 amended, 1911, 359. § 7 in part repealed, 1912, 678 § 2. R. L. 15.

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531 See 1910, 462. R. L. 62.
534 § 2 amended, 1912, 400. § 3 amended, 1910, 605 § 1. § 5 amended, 1910, 605 § 2. § 8 amended, 1910, 605 § 3. § 10 amended, 1910, 605 § 4. § 12 amended, 1911, 37. § 14 amended, 1910, 605 § 5. § 16 amended, 1910, 605 § 6. § 18 amended, 1913, 116. § 17, see 1913, 803. § 20 amended, 1913, 95. § 22 amended, 1913, 123. § 24 amended, 1912, 123. § 30 amended, 1910, 525. (See 1911, 250 § 2.) R. L. 47, 52, 54, 102.
536 §§ 1, 3 in part superseded, 1910, 597; 1912, 518. (See 1912, 726 § 5.) R. L. 102, 103, 108.
537 § 3 amended, 1913, 689. R. L. 15.
540 Repealed, 1911, 471 § 11. R. L. 42, 86.

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44 Repealed, 1913, 835 § 503. R. L. 11.
55 Repealed, 1913, 835 § 503. (See 1911, 422; 1912, 229.) R. L. 11.
66 Amended, 1912, 522; 1913, 717. R. L. 5.
80 Amended, 1912, 109. (See 1911, 667.) R. L. 9.
83 Amended, 1911, 74; 1913, 358. R. L. 107.
93 § 1 superseded, 1912, 280. R. L. 29.
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123 See 1912, 3. R. L. 6.
124 See 1910, 374; 1911, 349. R. L. 121, 122.
137 See 1912, 3. R. L. 6.
147 Repealed, 1913, 835 § 503. R. L. 11.
150 Amended, 1913, 600 § 2. Affected, 1911, 474. (See 1913, 605.) R. L. 28, 32, 89.
151 See 1913, 336. R. L. 6.
166 § 1 amended, 1912, 221. § 2 amended, 1910, 611; 1911, 178; 1912, 172. (See 1911, 751 II § 15 *et seq.;* 1913, 324.) R. L. 51, 106.
172 See 1910, 271, 387, 416; 1912, 263, 283. R. L. 75, 213.
182 Repealed, 1913, 835 § 503. R. L. 11.
185 Superseded, 1912, 401 § 3. R. L. 118.
200 Repealed, 1913, 835 § 503. R. L. 11.
216 Amended, 1911, 383 § 1. R. L. 14.
220 Repeal and substitute, 1912, 719. (See 1910, 268; 1911, 82.) R. L. 6, 9.
223 § 1 amended, 1913, 452. (See 1910, 284, 588; 1911, 477; 1913, 610.) R. L. 102, 104.
228 Superseded, 1912, 720 § 2. (See 1911, 326, 633; 1912, 365 § 2.) R. L. 16.
230 Superseded, 1913, 336 § 2. R. L. 6.
246 Repealed, 1913, 835 § 503. R. L. 11.
249 Revised, 1913, 779 § 19. (See 1911, 269, 310; 1912, 280; 1913, 831.) R. L. 29, 106.

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257 § 3 amended, 1911, 269. § 4 revised, 1913, 779 § 18. (See 1913, 831.) R. L. 106.
259 See 1912, 726 § 5. R. L. 75, 108.
263 See 1911, 81. R. L. 114, 115.
265 Superseded, 1913, 336. R. L. 6.
268 Amended, 1911, 43; 1913, 534. (See 1911, 82; 1912, 719.) R. L. 6, 9.
270 Amended, 1912, 491. R. L. 14.
271 See 1910, 387, 416; 1911, 341, 372; 1912, 263, 283; 1913, 705. R. L. 75, 213.
275 See 1911, 8. R. L. 217.
282 Revised, 1912, 80; 1913, 421. (See 1911, 466; 1913, 295.) R. L. 39.
288 Superseded, 1912, 623 §§ 19–21. R. L. 114.
293 Amended, 1911, 7. R. L. 11.
297 Amended, 1912, 284; 1913, 176. R. L. 62.
299 Amended, 1912, 268. R. L. 16.
306 See 1910, 342. R. L. 6.
310 See 1911, 485. R. L. 7.
319 See 1910, 614. R. L. 92, 102.
321 See 1910, 363. R. L. 53.
332 Amended, 1911, 116. R. L. 217.
338 See 1911, 358; 1912, 335; 1913, 179. § 1 amended, 1913, 178. R. L. 70, 109.
339 See 1911, 111. R. L. 119.
345 Amended, 1911, 604. R. L. 223.
348 § 1 amended, 1912, 593; 1913, 710. § 2 amended, 1911, 747; 1913, 733. (See 1913, 268.) R. L. 16.
350 Amended, 1911, 208. R. L. 106.
356 § 2, see 1913, 620. R. L. 212.
364 Superseded, 1912, 623 § 38. R. L. 114.
365 Superseded, 1911, 356; 1912, 270. (See 1911, 236; 1912, 203.) R. L. 92.
366 Extended, 1911, 361; 1912, 52. R. L. 118.
369 § 1 amended, 1911, 485; 1912, 576. R. L. 7.
374 See 1911, 349. R. L. 121, 122.
376 See 1911, 284 § 3. R. L. 159.
377 See 1910, 399. R. L. 116.
378 Extended, 1913, 312. R. L. 208.
387 § 5 revised, 1911, 341. § 7, see 1911, 372; 1912, 283. § 9, see 1910, 416; 1912, 263, 283. R. L. 75, 213.
389 Repealed, 1911, 126. R. L. 208.
394 See 1910, 405, 457, 523. R. L. 75.
399 Amended, 1912, 472 § 1. § 2 amended, 1912, 472 § 2. (See 1912, 73, 97, 189, 623 § 18.) § 3 amended, 1913, 177. § 13, see 1911, 339, 618. R. L. 114, 115.
401 § 1 amended, 1912, 622. R. L. 111.
405 §§ 1, 2 revised, 1911, 282. (See 1910, 523; 1912, 726 § 5.) R. L. 75, 224.

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420 See 1911, 394. R. L. 87.
422 § 1 amended, 1913, 225. R. L. 4.
430 Superseded, 1911, 542. R. L. 223.
439 § 3, amended, 1913, 602. R. L. 7.
440 See 1911, 191; 1912, 234, 360 R. L. 15.
445 New section 2 added, 1912, 545. R. L. 106.
459 See 1912, 447. R. L. 19.
465 Amended, 1911, 632; 1912, 256. R. L. 62.
470 Extended, 1913, 323. R. L. 79.
472 Amended, 1911, 198. (See 1912, 567.) R. L. 92.
473 See 1911, 136. R. L. 8.
481 See 1913, 498. R. L. 15.
489 See 1910, 552; 1911, 406. R. L. 118.
493 See 1911, 751 V § 3. R. L. 118.
494 Repealed, 1912, 449 § 4. (See 1911, 103.) R. L. 91.
495 See 1911, 266 § 3. R. L. 56, 57.
497 § 1 amended, 1912, 201. (See 1911, 423.) R. L. 100.
499 § 1 amended, 1913, 334. § 2 amended, 1911, 205; 1912, 524; 1913, 489. R. L. 118.
500 See 1911, 624. R. L. 19.
508 See 1912, 223. R. L. 25, 28.
517 Repealed, 1911, 526 § 3. R. L. 6.
518 See 1911, 442. R. L. 113.
520 Repealed, 1913, 835 § 503. (See 1911, 353, 354.) R. L. 11.
521 Superseded, 1913, 719 § 18. R. L. 12, 27.
523 See 1911, 282, 603, 709; 1912, 726 § 5. R. L. 75.
524 See 1911, 247; 1912, 368 § 3. R. L. 42.
525 See 1910, 605; 1911, 250 § 2; 1912, 368 § 3; 1913, 95, 116, 123, 530, 592, 803. R. L. 47, 102.
533 § 1 amended, 1911, 101. § 2 repealed, 1911, 118 § 4. § 3 extended, 1911, 118 § 3. (See 1911, 215; 1912, 567.) R. L. 92.
534 Affected, 1912, 649 §§ 2–9. R. L. 160, 173.
538 Superseded, 1911, 305. R. L. 173.
543 § 6, see 1912, 726 § 5. R. L. 75.
545 Superseded, 1913, 529. (See 1912, 388, 438; 1913, 552.) R. L. 92.
552 See 1911, 406. R. L. 118.
555 § 3 superseded, 1910, 645. § 4, see 1912, 649 § 9. § 5, see 1913, 716. R. L. 173, 201.
559 See 1911, 532, 628 §§ 29a–33, 751. R. L. 106, 119.
563 In part superseded, 1911, 727 § 22. R. L. 102, 189.
564 Repealed, 1911, 172 § 3. (See 1912, 573; 1913, 270.) R. L. 92.
567 See 1912, 566 § 6. R. L. 89.
569 Amended, 1911, 264. R. L. 75.
591 § 6 in part repealed, 1912, 591 § 5. R. L. 47.
596 See 1911, 487. R. L. 112.

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597 In part superseded, 1912, 518. R. L. 102, 103.
598 §§ 1–3 revised, 1913, 706 § 1. § 5, see 1910, 616. R. L. 27, 107.
605 See 1912, 123; 1913, 95, 116, 123, 530, 592, 803. R. L. 52, 102.
606 §§ 3, 4, 7 amended, 1913, 543 §§ 1–3. R. L. 96.
607 §§ 2–4 amended, 1911, 478 §§ 1–3. § 6 amended, 1911, 478 § 4. R. L. 13, 14.
611 Amended, 1911, 178, 751 II § 16; 1912, 172, 251. R. L. 106.
614 Superseded, 1911, 614. (See 1911, 235; 1912, 379; 1913, 479.) R. L. 92, 102.
616 § 2 amended, 1912, 45. § 4 amended, 1912, 49. (See 1913, 416.) R. L. 25, 107.
619 §§ 1–6 amended, 1911, 338 §§ 1–6. § 10, see 1911, 339. § 11 (new) added, 1911, 338 § 7. (See 1911, 532, 751; 1913, 657.) R. L. 106.
622 § 1 amended, 1912, 173. § 6 amended, 1912, 357. § 7, see 1912, 629 § 1. § 10 extended, 1912, 128. (See 1912, 580.) R. L. 113, 115.
624 § 1, see 1912, 387. § 6 amended, 1911, 207. (See 1913, 520, 669.) R. L. 25.
627 Repealed, 1911, 592 § 3. R. L. 89.
629 Amended, 1911, 391. R. L. 102.
632 Amended, 1912, 256. R. L. 62.
640 Extended, 1912, 652. (See 1913, 538.) R. L. 56, 75, 102.
646 Affected, 1911, 557. § 1 amended, 1913, 639 § 1. R. L. 47.
648 Repealed, 1911, 748. (See 1912, 181.) R. L. 96.
651 § 1 amended, 1911, 10. R. L. 102.
653 Superseded, 1911, 220. R. L. 89.

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8 See 1911, 456; 1912, 264. R. L. 217.
19 See 1912, 567. R. L. 92.
37 See 1912, 123, 400; 1913, 95, 116, 123, 530, 592, 803. R. L. 52, 102.
43 Amended, 1913, 534. R. L. 6, 9.
48 See 1911, 440; 1912, 182. R. L. 104, 108.
53 Repeal and substitute, 1911, 563. (See 1911, 150; 1912, 163.) R. L. 82.
54 See 1911, 315; 1912, 74. R. L. 118.
59 Repealed, 1912, 560 § 2. R. L. 107.
63 See 1911, 119. R. L. 19.
68 Repealed, 1911, 483. (See 1911, 254.) R. L. 157.
70 See 1913, 257. R. L. 167.
73 See 1912, 498. R. L. 164.
74 Amended, 1913, 358. R. L. 107.
77 See 1911, 88. R. L. 100.
82 See 1912, 719. R. L. 6, 9.
89 See 1912, 312 § 1. R. L. 12.
101 See 1911, 215. R. L. 92.

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102 Repealed, 1912, 449 § 4. R. L. 91.
103 See 1912, 449; 1913, 124, 449. R. L. 91.
113 § 1 amended, 1913, 313. New section (3) added, 1912, 395. (See 1913, 657.) R. L. 19, 106.
118 See 1911, 215; 1913, 626. R. L. 92.
122 Amended, 1913, 419. R. L. 21.
129 See 1913, 655 §§ 42–47. R. L. 102, 104.
137 See 1913, 657, 671, 681, 697. R. L. 25, 106.
143 See 1911, 297 § 6. R. L. 75, 89, 90.
145 See 1911, 296, 326, 633; 1912, 365. R. L. 16.
172 § 1 amended, 1912, 523; 1913, 270. R. L. 92.
175 See 1912, 165. R. L. 82, 86.
176 § 2 amended, 1911, 461. R. L. 208.
178 Amended, 1912, 251. (See 1911, 751 II § 15 *et seq.;* 1912, 172.) R. L. 106.
187 Repealed, 1912, 490 § 2. R. L. 92.
191 See 1912, 234; 1913, 498. R. L. 15.
194 See 1913, 404. R. L. 87, 208.
205 Amended, 1912, 524; 1913, 489. R. L. 118.
207 See 1912, 387. R. L. 25.
208 See 1911, 249. R. L. 106.
210 § 3 amended, 1911, 625. R. L. 25, 26.
212 See 1912, 317; 1913, 716. R. L. 173.
215 See 1911, 410 § 8; 1913, 626. R. L. 92.
218 See 1911, 266. R. L. 56, 57, 75.
222 Repealed, 1913, 835 § 503. R. L. 11.
229 § 2, see 1912, 726 § 5. R. L. 75, 106.
235 Superseded, 1911, 614. (See 1912, 379.) R. L. 92, 102.
236 § 1 amended, 1912, 203, 523. (See 1912, 567.) R. L. 92.
241 Amended, 1912, 191. (See 1913, 467, 619 § 5.) R. L. 44, 106.
244 §§ 1, 2 amended, 1912, 419 §§ 3, 4. (See 1911, 722.) R. L. 28, 32.
251 § 1 amended, 1912, 311; 1913, 750. (See 1912, 139, 524.) R. L. 118.
252 § 1 amended, 1912, 631 § 1. R. L. 78.
268 Revised, 1913, 779 §§ 3, 4. R. L. 44.
269 Revised, 1913, 779 § 16. (See 1911, 310; 1913, 831.) R. L. 46, 106.
271 See 1911, 410; 1912, 567. R. L. 92.
283 Repealed, 1911, 548 § 4. (See 1912, 391.) R. L. 211, '214.
284 § 2, see 1911, 339. R. L. 159.
289 See 1911, 341, 372; 1912, 263, 283; 1913, 705. R. L. 75, 213.
292 Amended, 1912, 407. (See 1912, 149.) R. L. 118.
294 See 1912, 512. R. L. 6.
297 § 1, see 1912, 608 § 4. § 3 amended, 1911, 534 § 1. § 5 amended, 1912, 248 § 2. (See 1912, 603, 608.) § 6 revised, 1911, 534 § 2. (See 1911, 381.) R. L. 75, 89.
298 See 1911, 326, 633; 1912, 365. R. L. 16.
302 See 1913, 616. R. L. 164.
304 Repealed, 1913, 835 § 503. R. L. 11.

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305 See 1913, 68. R. L. 48, 173.
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310 Repealed, 1913, 779 § 25. (See 1913, 779 § 16, 831.) R. L. 46.
313 Amended, 1912, 452. (See 1913, 365.) R. L. 106.
315 See 1912, 74. R. L. 118.
322 See 1912, 134. R. L. 165.
326 Superseded, 1912, 720 § 2. (See 1911, 633; 1912, 365 § 2.) R. L. 16.
338 See 1911, 532; 1912, 363; 1913, 657. R. L. 106.
341 See 1913, 705. R. L. 75, 213.
342 Limited, 1912, 259. R. L. 104.
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344 Superseded, 1912, 330. R. L. 118.
345 Amended, 1913, 598. R. L. 112.
348 Affected, 1912, 437. R. L. 121.
353 Repealed, 1913, 835 § 503. R. L. 11.
354 Repealed, 1913, 835 § 503. R. L. 11.
355 Repealed, 1913, 835 § 503. R. L. 11.
356 § 1 amended 1912, 270, 523. (See 1912, 567.) R. L. 92.
357 See 1912, 644. R. L. 113.
358 § 1 amended, 1912, 335. (See 1913, 178, 179.) R. L. 70, 109.
361 § 1 amended, 1912, 52. R. L. 118.
365 Amended, 1912, 466 § 1; 1913, 335. R. L. 24.
367 § 1 amended, 1912, 320. (See 1912, 157.) R. L. 42, 104.
370 See 1912, 360. R. L. 13.
372 § 1 amended, 1912, 283 § 1. § 3 amended, 1912, 381 § 2. (See 1913, 705.) R. L. 75, 213.
378 Repealed, 1913, 835 § 503. R. L. 11.
379 Amended, 1912, 457 § 2. (See 1912, 124.) R. L. 112.
381 See 1912, 486, 608. R. L. 75, 89.
382 § 2, see 1913, 458. R. L. 12.
383 See 1912, 238. R. L. 12.
384 See 1911, 444. R. L. 42.
399 Amended, 1912, 114. R. L. 42.
413 §§ 1, 2 amended, 1913, 367. (See 1913, 657.) R. L. 106.
416 § 8, see 1913, 626. R. L. 92.
422 Repealed, 1913, 835 § 503. (See 1912, 229.) R. L. 11.
423 See 1912, 201. R. L. 100.
429 § 3 amended, 1913, 181. (See 1913, 510.) R. L. 118.
434 See 1911, 558; 1913, 254. R. L. 121, 122.
436 Repealed, 1913, 835 § 503. R. L. 11.
440 See 1912, 182. R. L. 102.
442 See 1911, 481, 509. R. L. 122.
443 § 1 amended, 1912, 155. R. L. 102.
451 Extended, 1912, 103. Limited, 1913, 829 § 3. R. L. 223, 225.
452 Amended, 1912, 160. R. L. 164.
455 Repealed, 1913, 806 § 13. (See 1912, 479; 1913, 610.) R. L. 104, 106.

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456 § 8 amended, 1912, 310. (See 1912, 264; 1913, 563 §§ 6, 7.) R. L. 82, 153, 217.
466 Superseded, 1912, 80; 1913, 421. R. L. 39.
469 § 11 amended, 1913, 770. R. L. 26.
471 See 1912, 106; 1913, 295, 337. R. L. 42, 89.
473 See 1912, 232. R. L. 160.
474 See 1913, 600, 605. R. L. 28, 101.
477 See 1913, 452. R. L. 37, 102.
481 See 1911, 509. R. L. 122.
484 Amended, 1912, 477; 1913, 758. (See 1912, 726 § 5.) R. L. 106.
485 § 1 amended, 1912, 576. R. L. 7.
491 § 1 amended, 1912, 581. R. L. 111.
494 See 1913, 758, 822. R. L. 25, 106.
497 See 1913, 716. R. L. 173.
501 See 1913, 716. R. L. 173.
502 In part repealed, 1912, 678 § 2. R. L. 15.
503 See 1912, 651; 1913, 709. R. L. 56, 214.
517 Repealed, 1913, 835 § 503. R. L. 11.
518 Repealed, 1913, 835 § 503. R. L. 11.
532 § 1 amended, 1912, 363 § 1. § 3 amended, 1912, 363 § 2. § 4 amended, 1912, 363 § 3. § 6 amended, 1912, 363 § 4; 1913, 63. (See 1911, 634, 751; 1913, 310, 657.) R. L. 19, 106.
537 Amended, 1913, 396. (See 1913, 779 § 1, 4.) R. L. 42.
541 Superseded, 1913, 685. R. L. 75, 106.
548 Affected, 1912, 391. R. L. 211, 214.
549 See 1913, 834. R. L. 108.
550 Repealed, 1913, 835 § 503. (See 1912, 254, 261, 265, 274, 275, 446, 483.) R. L. 11.
558 See 1913, 254. R. L. 121.
561 §§ 1, 2 affected, 1913, 610 § 5. (See 1913, 834.) R. L. 108.
562 § 4 amended, 1913, 209. (See 1912, 726 § 5; 1913, 610.) R. L. 102, 105.
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The Commonwealth of Massachusetts

OFFICE OF THE SECRETARY, BOSTON, August 21, 1913.

I certify that the acts and resolves contained in this volume are true copies of the originals, and that the accompanying papers are transcripts of official records and returns.

I further certify that the table of changes in general laws has been prepared, and is printed as an appendix to this edition of the laws, by direction of the governor, in accordance with the provisions of section 1 of chapter 9 of the Revised Laws.

FRANK J. DONAHUE,

Secretary of the Commonwealth.

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